

9 October 2019

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,
16 October 2019**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 16 October 2019 commencing at 6.00 pm or immediately following the conclusion of the Public Forum session.

Public Forum will be held from 6.00 pm to 6.15 pm where there will be an opportunity for members of the public to raise matters with Council.



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 16 OCTOBER 2019

1. PUBLIC FORUM

2. 6:00 PM - MEETING COMMENCES

3. PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

Could all those who are able please stand for the prayer and the acknowledgement.

4.01 Almighty God, Give wisdom to those in authority and guide all peoples in the way of righteousness and peace, so that we may share with justice the resources of the earth, work together in trust and seek the common good. Amen.

4.02 I would like to acknowledge that this meeting is being held on the traditional lands of the Wiradjuri people and recognise the strength, resilience and capacity of Aboriginal people in this land.

4. APOLOGIES

5. MINUTES

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 SEPTEMBER 2019

* MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 2 OCTOBER 2019

6. DECLARATION OF INTEREST

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Part 4 and Part 5 of the Council Code of Conduct, in relation to Declaration of Interest at meetings.

7. MAYORAL MINUTE

8. RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

* DIRECTOR ENGINEERING SERVICES' REPORT

* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

9. REPORTS OF OTHER COMMITTEES

* MINUTES - POLICY COMMITTEE MEETING - 2 OCTOBER 2019

* MINUTES - TRAFFIC COMMITTEE MEETING - 1 OCTOBER 2019

10. NOTICES OF MOTION

11. RESCISSION MOTIONS

12. COUNCILLORS/ DELEGATES REPORTS

- * COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES
- 12 JUNE 2019
- * COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES
- 11 SEPTEMBER 2019
- * COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES
- 25 SEPTEMBER 2019
- * MINUTES – BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE
– 26 SEPTEMBER 2019

13. RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS

Recommendation: That:

- (a) Council resolve into closed Council to consider business identified , together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005,:

1. In accordance with Section 9(2A) of the Local Government Act 1993, it is the opinion of the General Manager that the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.
2. In accordance with Section 10B(1) it is considered that discussion of the matter in open meeting, would on balance, be contrary to the public interest.
3. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee.

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RENEWAL OF COMMUNITY LEASE - PART LOT 101 DP 1204847 KNOWN AS 7 LEE STREET, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	RURAL LICENCE AGREEMENT - CROPPING ONLY FOR PART LOT 2 DP1233088, KNOWN AS EDGELLS LANE, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	RENEWAL OF COMMUNITY LICENCE - PART LOT 20 DP1119593 COLLEGE ROAD, BATHURST ALSO KNOWN AS THE JUNKTION	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	SALE OF PROPERTY AT LOT 2 DP242242 KNOWN AS LITTLE SCALLYWAGS AT 288 HAVANNAH STREET, BATHURST	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
5	SALE OF LAND AT LOT 9 AND LOT 11 DP758833 KNOWN AS WELLINGTON STREET, PEEL	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
6	COMMUNITY LEASE - PART LOT	10A (2) (d) (i) – contains commercial

	193 DP821845 KNOWN AS OLD RAGLAN SCHOOL HALL AT 58 CHRISTIE STREET, RAGLAN	information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	ENGAGEMENT OF CONSULTANTS FOR WATER SECURITY	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS 2019-2020	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 18 SEPTEMBER 2019 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 September 2019 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 18 September 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 2 OCTOBER 2019 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 2 October 2019 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 2 October 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 18 SEPTEMBER 2019

PUBLIC FORUM

1 PUBLIC FORUM

G. EVANS - DEPBS #5 255 Piper Street - Requested Council not approve the proposal. Spoke to amenity issues, roof lines, outlook factors, usual impact. Referred to Warringah Council court case and steps specified in this. Then spoke to how these principles are impacted by the proposal and the effect is devastating on the views from their property. The proposal is not reasonable and noted a Randwick Council court case, and referred to height and scale matters. Queried why a skillion roof was not proposed. Read letter from Bathurst Real Estate concerning detrimental effect.

Mr BREUST - DEPBS #5 251 Piper Street- Proponent of development and requested Council approves. Spoke to design as family living and desire to hang onto existing charm. Noted history of proposal and have taken into account prior objections eg dropping height of roof, pitch levels, movement of garage. The tree to be removed has been inspected and is less than 9 meters high and referred to safety concerns.

G. CRISP - Various Matters - Spoke to August meeting and the matter of financing the aquatic centre. Raised allegations of unlawfulness and contends the DLG didn't agree to arrangements put in place. Considers none of the conditions have been complied with. Claimed charges on strata are not in compliance with the L.G. Act and asks Council to take him to court. Stated breaches of Crimes Act have occurred, and has spoken to police about making a citizens arrest. Then stated he was making a citizens arrest of the Mayor and requested Councillor Christian to undertake the arrest.

L. PARKES - DEPBS # 4 - Requests a variation to DA 2013/0239 concerning advertising signage. Spoke to role of mortgage brokers and the services they provide, only 4 people have complained about the signage. Considers his business has been targeted, noted other signage in place in Bathurst e.g Aldi sign and Bathurst Real Estate signs. Requested signs remain, spoke to photos in the report, these are not accurate. Note heritage factors and structural issues with the building, this is not a heritage listed building. Advised has not complied with the DA, due to Health and Safety matters. Asked Council to leave the sign as it currently is.

K. O'MEARA - Water Issues - The minister has recently removed limits in Sydney in regards to water movements. Then referred to irrigators and control of them and prior advice that Council didn't have allocation details. Thanked Mayor for using casting vote last year to introduce water restrictions. Then spoke to recent flyers on water restrictions, feels too small to read.

Director Engineering Service - Council has spoken to minister about irrigation use, the control of irrigation is a matter for the state. Council doesn't have all data on irrigation licences but is discussing this with the government.

B. TRIMING - Speaking for Kent McNab - Mitre/ Suttor/ Lambert Street - Requested update on discussions with contractors and when will works start.

Director Engineering Service - Discussions are occurring with contractor and service agencies, an exact date isn't yet set.

B. TRIMING - Water Restrictions - What will happen with street trees? Need to have tubing to roots so people can water them. Then raised issue of water tanks and use thereof, how does Council monitor?

Director Engineering Service - Council water newer trees. Up to around 4 years Council will continue to monitor. Noted level 4 enforcement programs to be implemented and monitoring that will occur.

B. TRIMING - BRAC Executive Elections - These are due in the near future, wished to thank Council staff for their assistance provided to BRAC

K. BRUMBIE - General Manager #2 President of Wattle Flat Progress Association - Spoke to management and maintenance of the Race track reserve and procedures / processes currently in place. Noted role of Golf Club and the Progress Association and the various uses undertaken under the informal management arrangement in place. Funds raised by various groups. Noted golf club has recently been set up. Now seeking Council formalised management agreement, if one body is to be appointed then requests it be the Progress Association. If Council looks at a co-management plan then would welcome this and would work with the Golf Club.

C. JONES - General Manager # 2 President Wattle Flat Golf Club - Spoke to role of Golf Club members at racetrack reserve, to maintain the area. Supports community events at the reserve and Golf Club members will work to achieve this. The club would like to maintain the facility.

D. O'LEARY - From 261 Lambert Street/ DA DEPBS # 3 - Opposed to the development it imposes mentally and emotionally on her property e.g ambience of fruit trees. Has concerns at survival of trees, with proposed works to be undertaken. This needs to stop now, the shed wall is literally on the boundary. Noted aesthetics of the area and requirements of Councils planning instruments and heritage guidelines. Need to enhance streetscape, liveability etc, the trees in place do this. Requests Council appoint an arborist to assess impact.

S. GOSPER - HK/ HT/ HD Holden DCSF # 9 - Spoke to event to celebrate 50 years. Requested Council provide support, noted benefits to the city by hosting the event are over \$500,000.

P. DOWLING - Ratepayer Mount Panorama 'Bathurst' Sign - Spoke to proposal to put ' Bathurst' onto the Mount Panorama as a permanent fixture. Noted prior history of potential funding and hasn't heard back from DCSF. Previously told money was in 2017/18 budget, Need to have name put up, has been asking for 21 years for this to occur. Where did the money go for this proposal, which was put away. Requests a timeline and money be put away.

Director Engineering Services - Money went to bridge across Pit Straight to address safety concerns. Funding is a budget matter for the Council.

MEETING COMMENCES

- 2** **MEETING COMMENCES 6:56 PM**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED:Present: Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North, Rudge.

APOLOGIES

- 3** **APOLOGIES**
MOVED Cr W Aubin and **SECONDED** Cr I North

Nil

MINUTES

- 4** **Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 21 AUGUST 2019 (11.00005)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 21 August 2019 be adopted.

- 5** **Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 4 SEPTEMBER 2019 (11.00005)**
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 4 September 2019 be adopted.

DECLARATION OF INTEREST

- 6** **DECLARATION OF INTEREST**

RESOLVED: That the declaration of interest be noted

Cr Jennings - DCSF Confidential # 1 - Declared non - pecuniary interest.

RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS**General Manager's Report****7 Item 1 ELECTION OF MAYOR AND DEPUTY MAYOR (12.00004)**

ELECTION OF THE MAYOR - Two nominations were received for the position of Mayor. Councillor Bourke and Councillor Jennings.

A **MOTION** was **MOVED** Cr North **SECONDED** Cr Aubin

RESOLVED: that the election for Mayor and Deputy Mayor proceed by open Voting.

The result of the ballot was:

Councillor Bourke 5 votes
Council Jennings 4 votes

Councillor Bourke was declared elected as Mayor for the period to September 2020.

ELECTION OF THE DEPUTY MAYOR - Three nominations for the position of Deputy Mayor were received: Councillor Jennings, Councillor North and Councillor Morse.

(Councillor Morse requested her nomination be withdrawn)

The result of the ballot was:

Councillor Jennings 4 Votes
Councillor North 5 Votes

Councillor North was declared elected as Deputy Mayor for the period to September 2020.

Councillor Bourke took the Chair.

A short recess at 7:03pm was declared to allow the Mayor to speak with the media.

The Mayor, Councillor Bourke resumed the meeting at 7:16pm.

Councillor Rudge left the meeting.

8 Item 2 CARE AND CONTROL WATTLE FLAT RACECOURSE RESERVE NO 95665 (18.00222 & 20.00177)

MOVED Cr M Morse and **SECONDED** Cr J Fry

RESOLVED: That Council

Request the Wattle Flat Progress Association and Wattle Flat Golf Club jointly prepare a Plan of Management for Reserve 95665 by the end of December 2019 for consideration by the Council. For this option, it is likely that the best result would be achieved by Council funding an independent facilitator to work with the community.

- 9** Item 3 ABORIGINAL CULTURAL HERITAGE (20.00311, 23.00010, 09.00031)
MOVED Cr A Christian and SECONDED Cr I North

RESOLVED: That the information be noted.

- 10** Item 4 WESTERN SYDNEY UNIVERSITY MEDICAL STUDENT SCHOLARSHIP PROGRAM - REQUEST FOR FUNDING ASSISTANCE (09.00011)
MOVED Cr I North and SECONDED Cr G Hanger

RESOLVED: That Council:

- (a) allocate \$2,500 this financial year toward an initial scholarship under the Western Sydney University medical student scholarship program; and
- (b) consider incrementing the allocation by \$2,500 per annum to a maximum of \$10,000 in the budget process for following years.

Director Environmental Planning & Building Services' Report

- 11** Item 1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)
MOVED Cr W Aubin and SECONDED Cr I North

RESOLVED: That the information be noted.

- 12** Item 2 GENERAL REPORT (03.00053)
MOVED Cr M Morse and SECONDED Cr W Aubin

RESOLVED: That the information be noted.

- 13** Item 3 DEVELOPMENT APPLICATION NO. 2019/198 – DEMOLITION OF EXISTING GARAGE, SINGLE STOREY DUAL OCCUPANCY (SECOND DWELLING) WITH ATTACHED GARAGE, CARPORT & TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET. APPLICANT: BRETT MOULDS DESIGN AND DRAFTING PTY LTD. OWNER: MODERNIZATION PTY LTD (DA/2019/198)
MOVED Cr J Jennings and SECONDED Cr G Hanger

MOVED: That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2019/198, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) prior to the issue of the Construction Certificate the developer is to submit to Council a Construction Management Plan prepared by a suitably qualified Arborist to identify appropriate methodologies for pruning and excavation in vicinity of the root system of the neighbouring trees at 251 Stewart Street;

- (b) notify those that made submissions of its decision; and
- (c) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **LOST**

The result of the division was:

In favour of the motion - Cr A Christian, Cr G Hanger, Cr J Jennings, Cr I North,
Against the motion - Cr W Aubin, Cr B Bourke, Cr J Fry, Cr M Morse,
Absent - Cr J Rudge,
Abstain - Nil

The Mayor Cr Bourke used his casting vote to defeat the motion.

14 Item 4 DEVELOPMENT APPLICATION NO. 2013/0239 – ADVERTISING SIGNAGE AT 120-122 RUSSELL STREET, BATHURST. APPLICANT & OWNER: WOODBELL PTY LTD (DA/2013/0239)

MOVED Cr W Aubin and **SECONDED** Cr M Morse

That Council:

- (a) refer the review of DA 2013/0239 to a Working Party of Council
- (b) call a division

On being **PUT** to the **VOTE** the **MOTION** was **LOST**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr Cr B Bourke, Cr J Jennings
Against the motion - Cr A Christian, Cr J Fry, Cr G Hanger, Cr M Morse,
 Cr I North
Absent - Cr J Rudge

15 Item 4.01 DEVELOPMENT APPLICATION NO. 2013/0239 – ADVERTISING SIGNAGE AT 120-122 RUSSELL STREET, BATHURST. APPLICANT & OWNER: WOODBELL PTY LTD (DA/2013/0239)

MOVED Cr G Hanger and **SECONDED** Cr I North

RESOLVED: That Council:

- (a) having undertaken a review of Development Application 2013/0239 under Division 8.2 of the Environmental Planning and Assessment Act 1979 reaffirm its decision to refuse the modification application for the reasons outlined in its Notice of Determination dated 29 May 2019; and
- (b) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr A Christian, Cr J Fry, Cr G Hanger, Cr M Morse, Cr I North
Against the motion - Cr W Aubin, Cr B Bourke, Cr J Jennings,
Absent - Cr J Rudge,
Abstain - Nil

16 Item 5 DEVELOPMENT APPLICATION NO. 2019/135 – DEMOLITION OF EXISTING GARAGE AND LATER REAR ADDITIONS TO DWELLING, NEW ADDITIONS AND ALTERATIONS TO DWELLING, NEW GARAGE AND TREE REMOVAL AT 251 PIPER STREET, BATHURST. APPLICANT: MR O BREUST. OWNER: MR O & MRS M BREUST (DA/2019/135)

MOVED Cr M Morse and **SECONDED** Cr J Fry

RESOLVED: That:

- (a) DA 2019/135 be deferred subject to a report from an arborist and that the DA be referred to Council's architectural service for comment.
- (b) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr J Jennings, Cr M Morse, Cr I North

Against the motion - Cr G Hanger

Absent - Cr J Rudge

Abstain - Nil

17 Item 6 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)

MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That the information be noted.

18 Item 7 DURAMANA ROAD MASTER PLAN (20.00327)

MOVED Cr I North and **SECONDED** Cr J Fry

RESOLVED: That Council:

- (a) adopt the Duramana Road Master Plan for Strategic Planning purposes;
- (b) prepare a Planning Proposal following the NSW Department of Planning, Industry and Environment Guidelines to amend the Bathurst Regional Local Environmental Plan 2014 as outlined in this report;
- (c) forward the Planning Proposal to the NSW Department of Planning, Industry and Environment requesting a Gateway Determination;
- (d) accept any delegations from the Department of Planning, Industry and Environment concerning this Planning Proposal;
- (e) place the draft Local Environmental Plan Amendment on public exhibition in accordance with the statutory requirements of the Environmental Planning and Assessment Act;
- (f) prepare an amendment to the Bathurst Regional Development Control Plan 2014 and relevant developer contributions plans as outlined in this report; and
- (g) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North

Against the motion - Nil

Absent - Cr J Rudge

Abstain - Nil

19 **Item 8 BATHURST REGION ABORIGINAL HERITAGE INTERPRETATION STRATEGY (20.00288)**

MOVED Cr I North

and **SECONDED** Cr W Aubin

RESOLVED: That Council acknowledge the recommendations of the Bathurst Region Aboriginal Heritage Interpretation Strategy as summarised in this report noting that ongoing discussions will be held with the local Aboriginal community groups in relation to its implementation.

20 **Item 9 PLANNING PROPOSAL – HEALTH SERVICES FACILITIES IN THE RE2 PRIVATE RECREATION ZONE (20.00332)**

MOVED Cr J Jennings

and **SECONDED** Cr J Fry

RESOLVED: That the information be noted.

21 **Item 10 HERITAGE CONSERVATION AREA REVIEW 2018 (20.00129)**

MOVED Cr A Christian

and **SECONDED** Cr I North

RESOLVED: That Council:

- (a) adopt the Heritage Conservation Area Review 2018 with those amendments as outlined in this report;
- (b) prepare a Planning Proposal in accordance with the NSW Department of Planning, Industry and Environment Guidelines to amend the Bathurst Regional Local Environmental Plan 2014 based on the recommendations of the Heritage Conservation Area Review 2018;
- (c) forward the Planning Proposal to the NSW Department of Planning, Industry and Environment requesting a Gateway Determination;
- (d) accept any delegations from the Department of Planning, Industry and Environment in relation to this Planning Proposal;
- (e) prepare an amendment to the Bathurst Regional Development Control Plan 2014 to introduce appropriate development standards to support the Local Environmental Plan amendment;
- (f) notify those that lodged a submission of Council's decision; and
- (g) call a division.

On being **PUT** to the **VOTE** the **MOTION** was **CARRIED**

The result of the division was:

In favour of the motion - Cr W Aubin, Cr B Bourke, Cr A Christian, Cr J Fry, Cr G Hanger, Cr J Jennings, Cr M Morse, Cr I North,

Against the motion - Nil

Absent - Cr J Rudge,

Abstain - Nil

- 22** Item 11 CLIMATE CHANGE RESPONSE (07.00093 & 13.00065)
MOVED Cr J Fry and SECONDED Cr I North

RESOLVED: That Council:

- (a) note the actions and activities undertaken by Council to date;
- (b) review and update the Climate Change Risk and Adaptation Plan;
- (c) support the preparation of a Renewable Energy Action Plan by Council staff;
and
- (d) consider project funding for priority actions in the Climate Change Risk and Adaptation Plan in the 2020/21 budget process.

- 23** Item 12 DRAFT SMART COMMUNITY STRATEGY (20.00315)
MOVED Cr A Christian and SECONDED Cr I North

RESOLVED: That Council places the draft Smart Community Strategy for the Bathurst Region on public exhibition for a period of 28 days and invites the public to make submissions.

Director Corporate Services & Finance's Report

- 24** Item 1 STATEMENT OF INVESTMENTS (16.00001)
MOVED Cr A Christian and SECONDED Cr I North

RESOLVED: That the information be noted.

- 25** Item 2 MONTHLY REVIEW - 2019/2023 DELIVERY PLAN AND OPERATIONAL PLAN 2019-2020 (16.00167)
MOVED Cr W Aubin and SECONDED Cr J Jennings

RESOLVED: That the information be noted.

- 26** Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)
MOVED Cr I North and SECONDED Cr W Aubin

RESOLVED: That the information be noted and any additional expenditure be voted.

- 27** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That the information be noted.

- 28** **Item 5 FRIENDSHIP AGREEMENT WITH CIRENCESTER TOWN CENTRE (23.0010)**
MOVED Cr J Jennings and **SECONDED** Cr W Aubin

RESOLVED: That Council note the report on the Friendship Agreement with Cirencester Town Council.

- 29** **Item 6 STATEMENT BY COUNCIL ON FINANCIAL REPORTS (16.00137, 41.00089)**
MOVED Cr I North and **SECONDED** Cr A Christian

RESOLVED: That Council:

- (a) refer the draft Financial Statements to Council's auditors, Audit Office of NSW, for audit;
- (b) sign the Certificates with respect to the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2019;
- (c) adopt the Accounting Policies shown in the financial reports.

- 30** **Item 7 HOPE CHARITABLE GROUP - DAFFODIL COTTAGE FUNDRAISER (20.00009)**
MOVED Cr W Aubin and **SECONDED** Cr I North

RESOLVED: That Council offer lot 23, 38 in Sunnybright Estate Stage 1A at a price of \$210,000 on "builders terms" to the Hope Charitable Group - Daffodil Cottage fundraiser.

- 31** **Item 8 REQUEST FOR FINANCIAL ASSISTANCE - AUSTRALIAN AIR FORCE CADETS 328 (CITY OF BATHURST) SQUADRON (18.00004)**
MOVED Cr I North and **SECONDED** Cr A Christian

RESOLVED: That Council provide \$1,000 financial assistance to the Australian Air Force Cadets 328 (City of Bathurst) Squadron, with funding being provided from Council's Section 356 Donations allocation.

- 32** **Item 9 REQUEST FOR FINANCIAL ASSISTANCE - HK HT HG HOLDEN NATIONALS EVENT 2020 (18.00004)**
MOVED Cr W Aubin and **SECONDED** Cr G Hanger

RESOLVED: That Council provide assistance to the 2020 HK HT HG Holden Nationals event to be held at Mount Panorama up to an amount of \$5,000.

Director Cultural & Community Services' Report**33 Item 1 DESTINATION BRAND IMPLEMENTATION QUARTERLY REPORT - SEPTEMBER 2019 (20.00299)****MOVED** Cr A Christian and **SECONDED** Cr I North**RESOLVED:** That the information be noted.**34 Item 2 2019/2020 BATHURST CCTV FUNDING PROGRAM (16.00145)****MOVED** Cr I North and **SECONDED** Cr A Christian**RESOLVED:** That Council:

- (a) Provide \$500 to each of the following, being the maximum amount for each organisation approved for funding, under the 2019/2020 Bathurst CCTV Funding Program, totalling \$2,500:

Business	Amount of Funding
Still The Mad Season Café	\$500
Jack Duggans Irish Pub	\$500
Venue Café Bar	\$500
Cobb and Co Cellars	\$500
Blatch Quality Smash Repairs	\$500

- (b) Advise the unsuccessful applicants that they can apply for future rounds of the funding program.
- (c) Reopen the application process to offer the program to further businesses in a second round closing Friday 17 January 2020.

35 Item 3 BATHURST VISITOR INFORMATION CENTRE - VISIT OF SENSU UNIVERSITY HIGH SCHOOL - JULY/AUGUST 2019 (21.00041)**MOVED** Cr W Aubin and **SECONDED** Cr M Morse**RESOLVED:** That the information be noted.**36 Item 4 NATIONAL MOTOR RACING MUSEUM - 2019 FATHERS DAY ACTIVITY REPORT (21.00005)****MOVED** Cr G Hanger and **SECONDED** Cr A Christian**RESOLVED:** That the information be noted.**37 Item 5 BATHURST REGION TOURISM REFERENCE GROUP - MEETING HELD 2 SEPTEMBER 2019 (07.00116)****MOVED** Cr A Christian and **SECONDED** Cr W Aubin**RESOLVED:** That the information be noted.

38 Item 6 BATHURST REGIONAL ART GALLERY - PUBLIC ART SYMPOSIUM, MONASH UNIVERSITY, 30-31 AUGUST 2019 (21.0152)**MOVED** Cr M Morse and **SECONDED** Cr A Christian**RESOLVED:** That the information be noted.**REPORTS OF OTHER COMMITTEES****Policy Committee Meeting****39 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 SEPTEMBER 2019 (07.00064)****MOVED** Cr W Aubin and **SECONDED** Cr I North**RESOLVED:** That the recommendations of the Policy Committee Meeting held on 4 September 2019 be adopted.**Traffic Committee Meeting****40 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 3 SEPTEMBER 2019 (07.00006)****MOVED** Cr I North and **SECONDED** Cr W Aubin**RESOLVED:** That the recommendations of the Traffic Committee Meeting held on 3 September 2019 be adopted.**COUNCILLORS/ DELEGATES REPORTS****41 Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 14 AUGUST 2019 (11.00019)****MOVED** Cr A Christian and **SECONDED** Cr I North**RESOLVED:** That the information be noted.**42 Item 2 CENTROC/JOINT ORGANISATION BOARD MEETING 22 AUGUST 2019 (PARKES) (07.00017)****MOVED** Cr G Hanger and **SECONDED** Cr J Jennings**RESOLVED:** That the report on the CENTROC/Joint Organisation (JO) Board Meeting held on 22 August 2019 at Parkes be noted.**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**

43

RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**MOVED** Cr I Northand **SECONDED** Cr W Aubin

Mr M. Nicholls - DES # 1 - Queried why in confidential as this is a matter of interest for all ratepayers of the city.

General Manager - Advised of the commercial in confidence issues within the item.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	SELECTIVE TENDER - PROPOSED FIFTH EVENT AT MOUNT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PROPOSED TRANSFER OF AIRCRAFT HANGAR LEASE SITE, BATHURST AERODROME TO MCSHEA PTY LTD	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	BATHURST WATER SECURITY UPDATE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report**a Item 1 SELECTIVE TENDER - PROPOSED FIFTH EVENT AT MOUNT PANORAMA (36.00721)****MOVED** Cr W Aubin and **SECONDED** Cr I North**RESOLVED:** That Council:**Cr J. Jennings declared a non- pecuniary (not significant) interest and left the chamber and took no part in the discussion or voting.****Reason - friend of M. Skaife who is supporting Supercars bid.**

- (a) Award the tender for the fifth event at Mount Panorama to Australian Racing Group for a period of five years, with a further five year option;

b Item 2 PROPOSED TRANSFER OF AIRCRAFT HANGAR LEASE SITE, BATHURST AERODROME TO MCSHEA PTY LTD (21.00133)**MOVED** Cr I North and **SECONDED** Cr A Christian**RESOLVED:** That Council approves the transfer of aircraft hangar leased site at Lot 23 DP1108205 from Mr David Scott to McShea Pty Ltd at the Bathurst Aerodrome as detailed in the report.**Director Engineering Services' Report****c Item 1 BATHURST WATER SECURITY UPDATE (32.00046)****MOVED** Cr M Morse and **SECONDED** Cr A Christian**RESOLVED:** That Council:

- (a) acknowledge the update on activities, actions and negotiations to manage Council's water supply through the current drought,
- (b) authorise the preferred and fallback option approach as outlined in the conclusion section to the report Bathurst Water Security Update for actions to respond to the current Water Supply challenge, and
- (c) continue negotiations arising from the options and the advocacy of Council's position.

RESOLVE INTO OPEN COUNCIL**44 RESOLVE INTO OPEN COUNCIL****MOVED** Cr A Christian and **SECONDED** Cr I North**RESOLVED:**

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

45 **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr M Morse and **SECONDED** I North

RESOLVED: That the Report of the Committee of the whole, items (a) to (c) be adopted.

MEETING CLOSE

46 **MEETING CLOSE**

The meeting closed at 8.37 pm

CHAIRMAN: _____

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY
COMMITTEE
HELD ON 2 OCTOBER 2019**

MEETING COMMENCES

1 MEETING COMMENCES 6:45 PM

Present: Councillors Bourke (Chair), Aubin, Christian, Fry, Hanger, Morse, North, Rudge.

APOLOGIES

2 APOLOGIES
MOVED Cr I North and **SECONDED** Cr A Christian

RESOLVED: That the apology from Cr Jennings be accepted and leave of absence granted.

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.00002
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH GENERAL MANAGER'S AND DIRECTORS' REPORTS

Director Corporate Services & Finance's Report

4 Item 1 INTERNAL RESERVES AT 30 JUNE 2019 (16.00055)
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That the transfers from reserves as at 30 June 2019 be approved by Council.

5 Item 2 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 04.00009)
MOVED Cr I North and **SECONDED** Cr A Christian

RESOLVED: That the information be noted.

Director Engineering Services' Report**6 Item 1 WATER RESTRICTIONS AND IMPACT UPON COUNCIL SERVICES (32.00017 & 13.00031)****MOVED** Cr W Aubin and **SECONDED** Cr J Rudge**RESOLVED:** That Council act in accordance with the report.**7 Item 2 ITEM INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005, 36.00720)****MOVED** Cr J Rudge and **SECONDED** Cr W Aubin**RESOLVED:** That the information be noted.**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****8 RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS****MOVED** Cr I North and **SECONDED** Cr W Aubin

The Mayor invited members of the public to make submissions on whether the matter should or should not be dealt with in Confidential Committee.

There were no representations from the public.

RESOLVED: That:

- (a) Council resolve into closed Council to consider business identified, together with any late reports tabled at the meeting.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
- (c) Correspondence and reports relevant to the subject business be withheld from access.

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	WAIVING OF FEES - USE OF MOUNT PANORAMA PIT COMPLEX	10A (2) (a) – Deals with personnel matters concerning particular individuals (other than Councillors) disclosure of which would not be in the public interest as it would reveal personal details of the individuals concerned.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR THE SUPPLY AND INSTALLATION OF WATER FILLING STATIONS AT HEREFORD STREET	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

Director Corporate Services & Finance's Report

- a** **Item 1 WAIVING OF FEES - USE OF MOUNT PANORAMA PIT COMPLEX (04.00009)**
MOVED Cr I North and **SECONDED** Cr A Christian

RESOLVED: That Council waive the fees associated with the hiring of the pit complex facility for reasons outlined in the report.

Director Engineering Services' Report

- b** **Item 1 TENDER FOR THE SUPPLY AND INSTALLATION OF WATER FILLING STATIONS AT HEREFORD STREET (36.00720)**
MOVED Cr A Christian and **SECONDED** Cr I North

RESOLVED: That Council accept the tender of Beech Plumbing, for the supply and installation of four water filling stations at Hereford Street in the amount of \$228,030.00 inclusive GST, subject to adjustments and provisional items.

RESOLVE INTO OPEN COUNCIL

- 9** **RESOLVE INTO OPEN COUNCIL**
MOVED Cr I North and **SECONDED** Cr M Morse

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 10** **ADOPT REPORT OF THE COMMITTEE OF THE WHOLE**
MOVED Cr A Christian and **SECONDED** Cr J Rudge

RESOLVED: That the Report of the Committee of the Whole, Items (a) to (b) be adopted.

MEETING CLOSE

- 11** **MEETING CLOSE**

The Meeting closed at 7.02 pm.

CHAIRMAN: _____

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES'
REPORT**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 OCTOBER 2019

1 SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (03.00053)

Recommendation: That the information be noted.

Report: Section 4.15 of the Environmental Planning and Assessment Act 1979 is provided below to assist Council in the assessment of Development Applications.

4.15 Evaluation (cf previous s 79C)

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
 - (i) any environmental planning instrument, and
 - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - (iii) any development control plan, and
 - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
 - (v) (Repealed)
- (b) that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

(2) Compliance with non-discretionary development standards—development other than complying development

If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

- (a) is not entitled to take those standards into further consideration in determining the development application, and
- (b) must not refuse the application on the ground that the development does not comply with those standards, and
- (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:
- (a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and
 - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note. The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

(3A) **Development control plans**

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and
- (c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, **standards** include performance criteria.

(4) **Consent where an accreditation is in force**

A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the *Building Code of Australia* if the building product or system is accredited in respect of that requirement in accordance with the regulations.

- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).

(6) **Definitions**

In this section:

- (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
- (b) **non-discretionary development standards** means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

Financial Implications: Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

Report: The following reports are provided for Council's information.

- (a) Applications approved using authority delegated to the Director Environmental Planning & Building Services during September 2019 (**attachment 1**).
- (b) Applications refused during September 2019 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending determination for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in September 2019 (**attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

3 DEVELOPMENT APPLICATION NO. 2019/198 – DEMOLITION OF EXISTING GARAGE, SINGLE STOREY DUAL OCCUPANCY (SECOND DWELLING) WITH ATTACHED CARPORT, SEPARATE CARPORT & TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET, BATHURST. APPLICANT: BRETT MOULDS DESIGN AND DRAFTING PTY LTD. OWNER: MODERNIZATION PTY LTD (DA/2019/198) (DA/2019/198)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2019/198, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) prior to the issue of the Construction Certificate the developer is to submit to Council a Construction Management Plan prepared by a suitably qualified Arborist to identify appropriate methodologies for pruning and excavation in vicinity of the root system of the neighbouring trees at 251 Stewart Street;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: Background

Council at its Ordinary Meeting, held 18 September 2019, considered but failed to reach a resolution on the Development Application for a proposed dual occupancy (second dwelling) at 261 Lambert Street, Bathurst.

Since the 18 September Ordinary Meeting and taking into account the comments made in public submissions and by Councillors, the applicant has submitted further amended plans incorporating the following changes:

- The enclosed garage adjoining 251 Stewart has been replaced with an open skillion roofed carport;
- The open carport removes the solid boundary wall previously associated with a proposed garage and removes the need for a strip footing adjacent to that point of the southern boundary; and
- Access to the side and rear of the property through the open carport.

Overall the changes will result in less visual impact given the roof of the carport will be skillion and there will be no side wall. Further, as less excavation is required for the open carport there will likely be less impact on the root system of the adjacent trees.

The applicant has also provided a written response to the issues noting the following:

- Enclosed garage removed which in turn removes solid boundary wall and the need for a strip footing adjacent to the southern boundary.
- Inclusion of an open carport structure in place of the former enclosed garage which is supported along the boundary by non combustible posts.
- Carport roof is a low-pitched roof which reduces the bulk of the main roof line and further improves solar access to adjoining residences.

- Side access for maintenance to the property is provide on both sides of the proposed dwelling.
- Existing timber fence will be replaced as required and will not be replaced with a Colorbond substitute.
- An arborists report will be provided following approval of the development application due to time needed for a specialist to complete the assessment. All recommendations will be adhered to.

Please see amended plans at **attachment 1** and written submission from the applicant at **attachment 2**.

The proposed changes do not materially alter the assessment provided to Council at its September meeting.

The Site

Council has received a Development Application (DA) for a single storey dual occupancy (second dwelling) with attached carport, separate carport and two lot residential subdivision at 261 Lambert Street, Bathurst, described as Lot B, DP 161951. A location plan and aerial photo are provided at **attachment 3**.

The site currently contains a single storey semi-detached dwelling with detached garage.

The site has an area of 682.9m².

Adjoining properties contain single storey dwellings and associated outbuildings. The BP service station adjoins part of the eastern boundary of the property.

History of the Site

An earlier proposal for a two-storey dual occupancy (second dwelling) was considered by Council at its Ordinary Meeting held on 12 December 2018. At this meeting Council resolved to refuse the Development Application for the following reasons:

- (i) No on-site visitor car parking has been provided and insufficient justification has been provided for the variation to this Development Standard;
- (ii) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy.

In response to the initial determination by Council, the applicant prepared amended plans and requested that Council review its decision to refuse the Development Application.

The revised proposal involved:

- Reduction in the overall size of the dwelling with the removal of one first floor bedroom;
- Increasing the ground floor side setback from 0.2 metres to 0.9 metres;
- Increasing the first-floor side setback from 1.5 metres to 3.4 metres;
- Introduction of a shared visitor car parking space;
- Replacement of standard first floor windows with highlight first floor windows with privacy screens;
- Removal of an attached garage and replacement with an attached carport.

After undertaking a review of its determination, Council at its Ordinary Meeting held on 17 April 2019, resolved to:

- (a) reaffirm its decision to refuse Development Application 2018/303 for the following reasons:
- (i) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy.

Whilst Council has previously considered and refused dual occupancy development on the property, that does not in any way impact upon its consideration of a new application, which is to be considered on its merits.

The proposal

The current proposal which has been further amended since last reported to Council, involves:

- Demolition of an existing garage;
- Construction of a single storey three-bedroom dual occupancy (second dwelling) with attached open carport;
- Construction of a separate carport (for the existing dwelling); and
- Two lot residential subdivision.

In terms of its proximity to the properties to the south (i.e. those properties fronting Stewart Street) the open-sided carport component of the development is to be set back 0.2m from the common boundary. The remainder of the development is to be 0.9m from the common boundary.

Plans of the proposed development are at **attachment 1**, shadow diagrams at **attachment 4** and the vehicle manoeuvring plan at **attachment 5**.

No works are proposed to the existing dwelling on the site.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 - General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dual occupancy (detached) is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

The *Minimum Lot Size – Dual Occupancy Map* for this locality indicates a minimum lot size of 600m². The subject site has an area of 682.9m² and therefore a dual occupancy is permissible.

Clause 4.3 Height of buildings

The *Height of Buildings Map* for this locality indicates a maximum overall building height of 9 metres. The proposed single storey dwelling will have an overall height of 4.5 metres which therefore complies.

Clause 5.10 Heritage conservation

The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain an individual Heritage Item.

The siting of the new dwelling at the rear of the site will ensure that there is minimal impact on the streetscape and minimal impact on the existing semi-detached dwellings at the front of the site.

While parts of the proposed new dwelling will be visible from both Lambert Street and Stewart Street, it will be single storey only and set back a minimum of 40 metres from both street frontages. The development will therefore have limited direct impact on the streetscape of the respective streets.

The materials to be used on the property are consistent with those used in the Heritage Conservation Area being face brick and Colorbond roof sheeting.

Bathurst Regional Development Control Plan 2014

Chapter 4 Residential Development

The site is contained within Precinct 1 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dual occupancies are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for dual occupancies as outlined below:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	682.9m ²	600m ²	Yes
Site Coverage	42.1%	Max. 50% coverage	Yes
Height	Single storey	Two- storey maximum	Yes
Setback - Front	N/A	Compliment existing	Yes
Setback - Rear	2.3m	In accordance with NCC	Yes
Setback - Side	0.2m	In accordance with NCC	Yes
Carparking - Resident	1 per dwelling	1 per dwelling	Yes
Carparking - Visitor	1 shared	1 per 2 dwellings	Yes
Accessway Width	3.5m	3-6m wide	Yes
Open space area - Existing dwelling (4 bed)	50.8m ²	50m ²	Yes
Open space area - Proposed dwelling (3 bed)	40m ²	50m ²	Yes
Open space width - Existing dwelling (4 bed)	Min 6.5m wide	4m wide	Yes
Open space width - Proposed dwelling (3 bed)	Min 4.0m wide	4m wide	Yes

Public Notification

The amended plans have not been publicly notified. This is consistent with the provisions of

Council's adopted Community Participation Plan which requires notification of *"only those applications where it is considered that there will be additional or significantly altered likely environmental impact"* . The objector has however been provided with a copy of the amended plans as lodged.

The original Development Application was notified to adjoining property owners from 16 July to 26 July 2019. Following the notification period one submission was received which has been provided at **attachment 6**.

A Discussion Forum was convened by the Director Environmental Planning and Building Services on 14 August 2019 (see minutes of the Discussion Forum at **attachment 7**). The applicant and property owner elected not to attend the Discussion Forum. Issues raised in the submission and at the discussion forum included:

- Impact of proposed development on established trees and impact of subsequent loss of trees as a result.

Comment: Within the rear yard of 251 Stewart Street there are a number of established trees located close to the common boundary. The largest of the trees are an apple and a plum. The trees overhang the common boundary between the two properties. In all likelihood the roots of the trees also cross the common boundary although the extent of any encroachment has not been investigated.

Due to the proximity of the trees to the boundary fence and the wall of the proposed carport, tree roots are likely to be damaged through excavation works during construction. The alteration to the carport section of the development negates the need for a strip footing replacing it instead with a series of pier holes. This will lessen the disturbance in this area. Pruning of overhanging branches will also need to be undertaken prior to excavation works. Such pruning can be undertaken regardless of the development proposal.

It is somewhat difficult for Council to accurately determine what the level of impact on the long term health of the trees will ultimately be. It would not be unreasonable to remove those parts of the tree which overhang and extend beyond the boundary (roots, branches etc.). This may lead to long term impacts on the health of those trees. To achieve no impact on neighbouring trees would mean sterilising the entire site and would be considered unreasonable. It should also be noted that a variety of exempt developments (e.g. garages) could be undertaken in close proximity to the boundary without consent or neighbour consultation and that these would likely have the same impact on the neighbouring trees.

Deletion of the solid garage wall and its replacement with an open carport is a further attempt by the applicant to appease this concern.

In an attempt to prolong the life of the trees post-development it is recommended that a condition be imposed to require submission of a Construction Management Plan prepared by a suitably qualified Arborist to identify appropriate methodologies for pruning and excavation in vicinity of the root system. The Construction Management Plan should address, but not be limited to, the following:

- Appropriate methodologies for and timing of pruning of overhanging branches;
- Appropriate methodologies for excavation for the footings and foundations of the proposed building;
- Recommended measures for preventing future damage to the footings and

foundations of the proposed building.

Conclusion

Council has received a Development Application for a single storey dual occupancy (second dwelling) with attached open carport, second separate carport and two lot residential subdivision at 261 Lambert Street, Bathurst. The proposal complies with the objectives of the Residential Precinct and the development standards for dual occupancies. The Development Application was notified to adjoining property owners from 16 July 2019 to 26 July 2019. Following the notification period one submission was received. Issues raised in the submission and at the subsequent Discussion Forum are addressed in this report and in recommended conditions of consent.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

4 DEVELOPMENT APPLICATION NO. 2019/244 – DEMOLITION OF EXISTING SEMI-DETACHED DWELLINGS AND OUTBUILDINGS, TREE REMOVAL AND CONSTRUCTION OF SINGLE STOREY DWELLING WITH ATTACHED GARAGE AT 51-53 PIPER STREET, BATHURST. APPLICANT: BOOMIE PTY LTD. OWNER: BOOMIE PTY LTD (DA2019/244)

Recommendation: That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2019/244, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
- (i) Demolition is not to commence until a Construction Certificate has been issued for the infill dwelling;
 - (ii) The subject site is to be consolidated into one lot prior to the issue of an Occupation Certificate for the infill dwelling; and
- (b) call a division.

Report: The Site

Council has received a Development Application (DA) for the demolition of existing semi-detached dwellings and outbuildings, tree removal and construction of a single storey dwelling with an attached garage at 51-53 Piper Street, Bathurst, described as Lot 1, DP 560405 and Lot 11, DP 527669.

See location plan and aerial photo at **attachment 1**.

The subject site currently comprises two separate lots with a semi-detached dwelling and outbuildings on each lot.

The proposal

The proposal involves:

- Demolition of the two existing semi-detached dwellings and associated outbuildings;
- Tree removal; and
- Construction of one single storey replacement dwelling with an attached garage.

See plan of proposed development at **attachment 2**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 General Residential under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dwelling house is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.3 Height of buildings

The *Height of Buildings Map* indicates that the maximum building height for the subject property is 9 metres. The proposed dwelling will have an overall height of approximately 7.1 metres. The development therefore complies with Clause 4.3 *Height of buildings*.

Clause 5.9 Preservation of trees

The proposed development proposes the removal of all existing vegetation on the site, including five trees.

The following table outlines the subject trees, their location and the applicability of Council's Tree Preservation and Management Policy.

Ulmus glabra – (Wych Elm)	This tree is located on the North-Western boundary of No.53 Piper Street, Bathurst. The tree was found to be in a healthy condition, possessing good structure and form and it is estimated that the tree is in excess of 9 metres in height. However, it is noted that the tree is located within the turning circle of the proposed driveway entry to the development and given this proximity would not be suitable to have the tree remain should the development proceed.
Aesculus hippocastanum – (Horse Chestnut)	This tree is located in the centre of the garden adjacent to an old outside toilet within No. 51 Piper Street, Bathurst. The tree was found to be in a healthy condition, possessing good structure and form. The tree is under 9 metres in height and therefore is not considered a protected species under Council's Tree Preservation and Management Policy.
Acer negundo - (Box Elder)	This tree is located adjacent to the rear fence of No. 53 Piper Street. The tree was found to be in average condition with evidence of past pruning which has impacted the structure and form of the tree. Additionally, there is a significant crack at the base of the tree which potentially could result in the future failure of the tree. The tree is under 9 metres in height and therefore is not considered a protected species under Council's Tree Preservation and Management Policy.
Eucalyptus cinerea – (Argyle Apple)	This tree is located adjacent to the rear fence of No. 51 Piper Street, Bathurst. The tree was found to be in a healthy condition, possessing good structure and form. The tree is under 9 metres in height and therefore is not considered a protected species under Council's Tree Preservation and Management Policy.
Melaleuca sp.	This tree is located adjacent to the rear fence of No. 51 Piper Street, Bathurst. The tree was found to be in a healthy condition however it does not possess good structure or form most likely due to its proximity to the Eucalyptus cinerea and other surrounding vegetation. The tree is under 9 metres in height and therefore is not considered a protected species under Council's Tree Preservation and Management Policy.

Clause 5.10 Heritage Conservation

The subject site is within the Bathurst Heritage Conservation Area but not listed as an individual Heritage Item. See discussion below under Chapter 10 of the DCP.

Bathurst Regional Development Control Plan 2014

Chapter 2 Exhibition and notification of development applications

The Development Application was advertised and notified to adjoining property owners from 2 September 2019 to 16 September 2019. No submissions were received during the public exhibition period. The matter is reported to Council because it includes full demolition of buildings in the Heritage Conservation Area.

Chapter 4 Residential development

A summary of compliance with the principal development standards under Chapter 4 is provided below:

Development Standard	Permissible	Proposed	Compliance
Minimum lot size	550m ²	1205m ²	YES
Height	9.0 metres	7.1 metres	YES
Setbacks	Front – must complement existing	2.0 metres, complements existing	YES
	Side – As per BCA	As per BCA	YES
	Rear – As per BCA	As per BCA	YES
Car parking	1 covered resident space per dwelling	2 covered car parking spaces	YES
Private open space area	Minimum 40m ² for three bedroom dwellings	480m ²	YES
Driveway width	Minimum 3 metres	3.0m	YES
Private open space width	Minimum 4.0 metres wide	20m	YES

Chapter 10 Urban design and heritage conservation

Statement of Heritage Impact

A detailed Statement of Heritage Impact has been prepared in accordance with Section 10.3.3 of the Bathurst Regional Development Control Plan 2014. A copy of the Statement of Heritage Impact is included at **attachment 3**.

The document identifies the following Statement of Significance for the existing dwelling:

The primary implications arising from the assessed significance of the site are as follows:

- *The principal significance of the place relates to the historical and aesthetic values of the site and its location and the social narrative of the area.*
- *The buildings at Nos.51 & 53 Piper Street are historically significant as being an example of late Victorian workers' semi-detached residences which, together with nearby buildings, reflect the past European growth of the town of Bathurst especially*

around Milltown during the late Victorian era when the increasing population of Bathurst generated a need for low cost rental properties for working families. It forms part of the streetscape of Piper Street between Seymour and Bentinck Streets within the Bathurst Conservation Area. The site has associational significance with early colonial Bathurst resident Mr John Liscombe who owned the vacant land and also with an early well-known local individual of his time, Mr George Thompson, who operated a Kelso tannery and commissioned the construction of the building for investment purposes and whose family the property remained in ownership of for decades.

The Statement of Heritage Impact has identified ownership as early as 1835.

The Statement of Heritage Impact notes the following:

- *Both houses display significant structural damage.*
- *All of the rooms display significant damage according to the engineer's reports and this has been caused by building movement, rising damp, ground levels above the floor level, little or no subfloor ventilation and lack of damp-proofing.*
- *There are high levels of rising damp in most walls. Rising damp is ground moisture rising up a wall and from there the water travels into timbers causing rot. Poor and no sub-floor ventilation and moisture in the sub-floor area have worsened the problem. This appears to have caused major damage to structural members.*

The Statement of Heritage Impact draws the following conclusion:

- *The physical fabric of the site and its use as a residence has been severely compromised through structural damage, deterioration of condition and substantial fabric loss and damage. There is no heritage based requirement to retain the majority of the built elements on the subject site, given that the remedial work to arrest the structural damage would require a complete re-build. The Engineer's advice is that it is not financially viable to repair or retain the existing buildings.*

Historical Assessment

The Statement of Heritage Impact contains a Historical Assessment. The Historical Assessment is as follows:

Mid 1800s to 1880s

The land lies within of the historically significant residential building sector of central Bathurst. It is an important part of the central town area and it forms part of the conservation area of Bathurst. Land set aside for development as part of the town plan for Bathurst was taken up in about the 1850's in this block and residences have infilled and dominated the streetscape since. The first European owner was investor John Liscombe who also owned a number of other allotments in this block as well as farms and a station 12 miles from Bathurst at Mt Tamar where he lived with his family and ran the farm with convict labour. Mr Liscombe migrated to Australia in 1825. Mr Liscombe was a prominent evaluator, auctioneer, landowner, Clerk of the Bench, postal officer and coroner for Bathurst in the 1830's and 1840's.

The land at No.51-53 Piper Street was part of the allotments purchased by John Liscombe for investment purposes in 1835.

The houses were built for George Andrew Thompson as investment properties in about 1880-1881 after he purchased the land. Mr Thompson had migrated from Scotland to Bathurst during the gold rush and consequently started the Great Western Steam Tannery at Kelso.

The houses are described in rates notices as having 5 rooms. They remained in the Thompson family and were tenanted nearly continuously and provided working class accommodation for many families over the decades.

None of the residents of the houses proposed to be demolished are known to be significant in the development of the area or known to be prominent in the community according to the Heritage Building Report.

There are no further ownerships noted in the Heritage Report.

As noted above, the existing houses were built circa 1880-1881. A separate Heritage Building Report prepared by the Bathurst & District Historical Society can be found at **attachment 4**.

Structural Assessment

A Structural Assessment aims to demonstrate the condition of the building and essential and desirable works. Council's DCP defines essential work to be "any works required to make the building structurally sound and safe and reverse any adverse deterioration". Desirable works means "other work required to make the structure more habitable and comfortable".

Calare Civil Building Condition Survey (Structural Assessment)

A Structural Assessment (prepared by Calare Civil Pty Ltd, dated 6 August 2018) submitted with the application indicates that the building has suffered major damage due to reactive clay movement, unsuitable building techniques and general weathering/deterioration due to a lack of maintenance over a long period of time. These concerns have been confirmed by site inspection undertaken by Council Officers. See Structural Assessment included at **attachment 5**.

The Structural Assessment prepared by Calare Civil Pty Ltd identifies the following essential and desirable works:

1. Essential Work (to ensure structural soundness and safety of building).

Remedial Work	Cost Estimate
Repair external timber and eaves	\$5,000.00
Replace iron roof	\$15,000.00
Replace all gutters and downpipes and ensure connection to in ground system	\$5,000.00
Repair sub floor bearers and joists and replace floor throughout	\$40,000.00
Test for and remove if necessary any asbestos present	\$70,000.00
Repair external cracked and damaged masonry	\$9,000.00
Replace all internal plumbing	\$6,000.00
Repair all stormwater drainage	\$4,000.00
Replace bathroom	\$15,000.00
Replace kitchen	\$15,000.00
Replace all electrical wiring	\$11,000.00
Total cost estimate (excluding GST)	\$195,000.00

2. Desirable Work (to make structure more habitable and comfortable).

Remedial Work	Cost Estimate
Demolish and replace carport	\$4,000.00
Repair or replace damaged fencing	\$7,000.00
Total cost estimate (excluding GST)	\$11,000.00

Whilst the kitchen and bathroom replacement have been identified under “essential work”, these elements are not structural and therefore should more appropriately be considered as “desirable work”. Therefore the revised essential work total cost would be **\$165,000** and the revised desirable work total cost would be **\$41,000**.

Cook Roe Structural Assessment Report

A Structural Assessment (prepared by Cook Roe Structural Engineers, dated 5 October 2018) was submitted with the application. A copy of the full 129 page document can be obtained from the Environmental Planning and Building Services Department. Below is a summary of the findings of the Cook Roe Structural Assessment report.

51 Piper Street

Upon inspection of the property the following items were identified:

- *The timber framed floor of the dwelling is uneven throughout, particularly in the lounge room where there is a significant hump in the middle of the room;*
- *Internally, significant cracking was identified in the masonry walls of the building, particularly on the southern and eastern walls. Crack widths in excess of 20mm were measured at numerous locations;*
- *Damage around the front entry suggests that the southern wall of the building is significantly bowed;*
- *The movement and cracking in the masonry walls of the buildings has also led to separation of the timber architrave and skirting boards in numerous locations, along with cracking and delamination of the render wall finishes;*
- *Ceiling heights in the rear laundry/bathroom section of the premises appear to be below the requirements of the National Construction Code (NCC);*
- *There is evidence of damp in the rear section of the building over the slab on ground;*
- *Externally the southern and eastern walls of the building appear to be bowing outwards;*
- *Steel wall braces have been installed at some point in the past in an effort to prevent walls from spreading out. There is significant cracking and movement at the wall brace locations;*
- *Brickwork is loose above the lintels to the front door and windows on the southern facade.*

53 Piper Street

Upon inspection of the property the following items were identified:

- *The timber framed floor of the dwelling is uneven throughout. There is a significant drop in the floor level from the entry hallway into the front, south*

- eastern bedroom;
- Internally, significant cracking was identified in the masonry walls of the building, particularly on the southern and western walls;
- The ceiling in the south eastern corner of the front south western bedroom has dropped by approximately 100mm;
- The movement and cracking in the masonry walls of the buildings has also led to separation of the timber architrave and skirting boards in numerous locations, along with cracking and delamination of the render wall finishes;
- There is evidence of damp throughout the building;
- The kitchen floor is extremely springy;
- Externally the southern and western walls of the building appear to be bowing outwards;
- Steel wall braces have been installed at some point in the past in an effort to prevent walls from spreading out. There is significant cracking and movement at the wall brace locations;
- The ground level adjacent to the building on the western side of the building appears to be above finished floor level at the rear of the property;
- There is little to no ventilation to the sub floor space of the building.

Conclusion

There is significant damage to the walls and floors of both buildings and the current foundations are inadequate for the soil conditions present on the site. Rectification of the buildings would require, as a minimum:

- Full demolition of the eastern wall of 51 Piper Street and the western wall of 53 Piper Street;
- Partial demolition of the southern wall of both buildings;
- Underpinning and/or provision of new foundations to the eastern wall of 51 Piper Street and the western wall of 53 Piper Street, and reinstatement of the walls;
- Demolition of timber floor structure to both dwellings, provision of new floor structure and likely new foundation system to floor structure;

These works would likely result in the need to remove most of the roof of both buildings, which essentially would result in a demolition of more than 50% of the existing structure. Even with these extensive works some issues would not be addressed, such as the rising damp issues, poor sub floor ventilation and inadequate foundations for the walls that have not been replaced.

All buildings have a design life. The NCC requires that new buildings be designed for a minimum design life of 50 years; the fact that these buildings have stood for approximately 100 years is a testament to their original construction. However given the damage that has been identified in this report, and the steps that would be required to repair this damage, it is our opinion that the buildings located at 51 and 53 Piper Street, Bathurst, have reached the end of their design lives.

It is our opinion that it is not financially viable to repair and retain the existing buildings. On this basis it is our recommendation that the buildings be demolished to provide a clear site and allow for the construction of new dwellings or the like which have been suitably designed for the site conditions, and in accordance with the current Australian Standards and the NCC.

Bathurst Conservation Area Management Strategy (BCAMS)

In order to assess the conservation significance of the dwelling proposed for demolition and consider the findings of the Statement of Heritage Impact in relation to whether or not demolition can be supported in this instance, an assessment under the *Bathurst Conservation Area Management Strategy* (BCAMS) was undertaken.

The following table provides a summary of the assessment.

Address of Building: 51 & 53 Piper Street, Bathurst	BCAMS Rating: 7
Type of Building/Current Use: Residential	Zoning: R1 General Residential
	Period of Construction: Colonial 1820-1840 Early Victorian 1840-1860 Mid Victorian 1860-1885 Late Victorian 1880-1900 Federation 1900-1920 1920's 1930/40s 1950/60s 1970/80s/90s post 2000's
	Rare Representative
Heritage Listings: Located within the Bathurst Heritage Conservation Area.	
Streetscape: The streetscape is an eclectic mix of residential buildings from many different eras.	
Physical Description: The building is set close to the lot boundaries. The house is representative of late Victorian semi-detached dwellings. The dwellings have a symmetrical floor plan with a central hallway and a central chimney. The front façade of the building is symmetrical with a high-pitched hipped roof. The building has a painted brick finish. The veranda of the building wraps around the corner of 51 Piper Street and on the front façade of whole building has a low pitch straight veranda roof. The roofing on 51 Piper Street is a clad in corrugated profile. The roofing of 53 Piper Street has been replaced with a modern Colorbond profile. Both dwellings have skillion additions at the rear constructed of asbestos fibro sheeting and fibre cement weatherboard. The building displays typical Victorian era shapes which are simple yet formal, with a basic veranda and minimal ornamentation.	
Condition Description: The building in its entirety is in very poor condition as supported by the engineering reports submitted. Both houses display significant structural damage. The buildings are in a poor state from the building movement, rising damp, ground levels above the floor level, little or no subfloor ventilation and lack of damp-proofing. There is significant damage to the walls and floors of both buildings and the current foundations are inadequate for the soil conditions. The structural report estimates that the required works to rectify the buildings would result in demolition of almost 50% of the structure. These works would not address the other issues in the building such as rising damp issues, poor sub floor ventilation and inadequate foundation of the original walls.	
Statement of Significance: Historically significant in a regional context (pre 1900/state significant)	
Heritage Significance (4) Historically significant in a regional context (pre 1900/state significant)	Streetscape Rating (3) Contributory (1) Neutral

(3) Historically significant in a local context (1900 – 1920s) (2) Significant in a local context (1930s-50s) (0) Not significant	(0) Intrusive
Integrity (3) Substantially intact (2) Altered sympathetically (1) Altered unsympathetically – Reversible (0) Altered unsympathetically – Non-reversible (0) Relatively intact but structurally unsound	
Special Vegetation: The site contains multiple mature trees. The species of tree are elm trees, box elder and Eucalyptus. These are visible from the street.	

Both dwellings are severely deteriorated and structurally unsound. The building does contribute to the streetscape in its current form and is representative of a late Victorian building. The sheds at the rear of the site do not appear to be original and have limited visibility from the street. No objection is raised to the removal of the sheds.

A high BCAMs rating has been given to the property, based on age and streetscape contribution. However, the complete demolition of a structurally poor building is supported on the basis of its poor overall condition and the cost of structural remedial works.

Infill development

The applicant has submitted a completed Residential Infill Application. A streetscape elevation has also been submitted to demonstrate the relationship between the proposed dwelling and the adjoining dwellings which can be seen at **attachment 6**.

The design of the infill building respects the design elements of the existing building and reflects the character of the mid Victorian semi-attached dwellings.

Character – Buildings forming the streetscape are an eclectic mix of residences of many eras. The design of the infill building is reflecting the character of the mid Victorian semi-attached dwelling which is existing on site.

Scale – The height and bulk of the building is consistent with the original of the building as it has the same building width and hipped roof with a similar pitch on the front elevation.

Form – The existing building was symmetrical with windows of golden proportion and a veranda for the full length of the front of the building. The proposed dwelling is symmetrical with a single front door and two double hung windows on either side. The form of the existing dwelling is represented in the infill dwelling.

Siting – The infill building is set back consistent with front and side setbacks of the original building on site and will complement the adjoining dwellings.

Materials and Colours – The external walls of the dwelling are proposed to be red face brick work with a traditional corrugated profile roof. The windows and doors are timber framed. The proposed materials are consistent with the Heritage Conservation Area.

Detailing – A chimney is visible from the street as a fireplace is being installed in the front media room of the dwelling. The existing dwelling veranda posts have a simple decorative detail at the top of the post. The veranda posts on the infill building have not included any decorative detailing but are a similar size post.

Corbelled Moulding is proposed between the roof line of the main building and the veranda roof.

Public Notification

The Development Application was advertised and notified to adjoining property owners from 2 September 2019 to 16 September 2019. No submissions were received during the public exhibition period.

Conclusion

Council has received a Development Application (DA) for the demolition of existing semi-detached dwellings and outbuildings, tree removal and construction of a single storey dwelling with an attached garage at 51-53 Piper Street, Bathurst. The Development Application was advertised and notified to adjoining property owners from 2 September 2019 to 16 September 2019. No submissions were received during the public exhibition period. A high BCAMs rating has been given to the property, based on age and streetscape contribution. However, the complete demolition of a structurally poor building is supported on the basis of its poor overall condition and the cost of structural remedial works. The design of the infill building respects the design elements of the existing building and reflects the character of the mid Victorian semi-attached dwellings.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

**5 SENSOR GATEWAY LEASE AGREEMENT FOR PART LOT 1 DP634401
KNOWN AS MCPHILLAMY PARK, MOUNT PANORAMA WITH DEPARTMENT OF
PRIMARY INDUSTRIES
20.00315 (20.00315)**

Recommendation: That Council approve the lease application from the NSW Department of Primary Industries for the placement of a Sensor Gateway at Part Lot 1 DP634401 known as McPhillamy Park, Mount Panorama to 2022 with an annual lease fee of \$1.00 (inc GST).

Report: The NSW Department of Primary Industries (DPI) has approached council seeking approval to place a Sensor Gateway on a Council-owned Broadcasting Transmission Tower in Sulman Park, Mount Panorama.

While the Gateway will be used by DPI to activate their “Smart Farming” projects, the infrastructure will be an open platform that can be used by Council, local businesses, farmers and the community. This venture is aligned with Council's goal to promote and support technologies that further develop Bathurst into a Smart Community/City and will support innovation in the agricultural sector. The Gateway will facilitate innovation as local businesses learn how sensor technologies can be used to create new products and solutions.

Furthermore, DPI have confirmed that the infrastructure (to the approximate value of \$15,000) will be transferred to Council control and ownership at the completion of their Smart Farming project in 2022. Therefore, it is recommended that a peppercorn rent of \$1.00 (inc GST) per annum be levied for this DPI project.

DPI will however be responsible for 100% of all electricity and maintenance costs until such time as the handover of the Gateway in 2022. DPI must also agree to maintain their current twenty million dollars Public Liability Insurance cover for the term. In addition:

- (i) DPI must not interfere with other users of the facility; and
- (ii) must comply with Council's Telecommunications and Radio Communications Policy
- (iii) upon transfer to Council, Council is not obliged to maintain the service

Conclusion

That Council approve the lease application from the NSW Department of Primary Industries for the placement of a Sensor Gateway at Part Lot 1 DP634401 known as McPhillamy Park, Mount Panorama with an annual lease fee of \$1.00 (inc GST) due to transferral of the asset to Council's control in 2022 and alignment with Bathurst's Smart City/Community goals.

Financial Implications: Potential lease fees for this type of agreement are in the vicinity of \$1,200 per annum for non-commercial activities. The forgone income is assessed at \$3,600. Ongoing costs to Council after transfer are not known but expected to be minimal.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.3, 2.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully



N Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 OCTOBER 2019

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$83,680,000 was invested at 30 September 2019 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
National Australia Bank Limited	A1+	\$22,500,000.00	2.14%
Bankwest	A1+	\$4,500,000.00	2.00%
CBA	A1+	\$1,500,000.00	1.87%
AMP	A2	\$6,000,000.00	2.30%
Bank of Queensland Limited	A2	\$3,000,000.00	2.01%
IMB	A2	\$1,500,000.00	2.19%
Auswide Bank	A2	\$3,000,000.00	2.11%
Maritime, Mining & Power Credit Union Ltd	ADI	<u>\$9,000,000.00</u>	<u>2.39%</u>
		\$51,000,000.00	2.17%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Floating Rate Term Deposits</u>			
CBA Deposit Plus	AA-	\$1,500,000.00	1.81%
CBA Deposit Plus 1	AA-	\$1,500,000.00	1.91%
CBA Deposit Plus 2	AA-	\$1,500,000.00	2.05%
Westpac Coupon Select	AA-	\$2,000,000.00	1.99%
Westpac Coupon Select 1	AA-	\$3,000,000.00	2.21%
Westpac Coupon Select 2	AA-	\$1,500,000.00	2.00%
Westpac Green Tailored Deposit	AA-	\$1,500,000.00	2.06%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$1,630,000.00</u>	<u>1.20%</u>
		\$14,130,000.00	1.93%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
AMP Fixed Rate	BBB+	\$1,000,000.00	2.99%
Greater Bank Ltd	BBB	<u>\$1,000,000.00</u>	<u>2.36%</u>
		\$2,000,000.00	2.68%
<u>Floating Rate Notes</u>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.02%
CBA Climate Bond	AA-	\$1,000,000.00	1.87%
Commonwealth Bank of Australia 2	AA-	\$500,000.00	1.90%
National Australia Bank	AA-	\$700,000.00	1.89%

HSBC Sydney	AA-	\$1,500,000.00	1.78%
Suncorp Metway	A+	\$1,000,000.00	2.36%
Rabobank	A+	\$1,000,000.00	1.51%
Macquarie Bank	A	\$1,000,000.00	2.06%
Macquarie Bank	A	\$1,000,000.00	1.67%
AMP	BBB+	\$1,000,000.00	2.00%
AMP	BBB+	\$1,000,000.00	2.31%
AMP	BBB+	\$1,100,000.00	2.09%
Bank of Queensland 2	BBB+	\$1,000,000.00	2.06%
Bendigo & Adelaide Bank 3	BBB+	\$1,000,000.00	2.07%
Members Equity 3	BBB	\$750,000.00	2.22%
Newcastle Permanent	BBB	\$1,000,000.00	2.48%
Newcastle Permanent 3	BBB	<u>\$1,000,000.00</u>	<u>2.74%</u>
		\$16,550,000.00	2.06%

Total Investments **\$83,680,000.00** **2.12%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$26,693,500.00
Grants held for specific purposes	\$10,148,172.00
Section 7.11 Funds held for specific purposes	\$41,713,723.00
Unrestricted Investments	\$5,124,605.00

Total Investments **\$83,680,000.00**

Total Interest Revenue to 30 September 2019 **\$450,635.94** **2.12%**

A Jones
Responsible Accounting Officer

Financial Implications: **Attachment 1** shows Council's year to date performance against the benchmarks contained in Council's Investment Policy. Council has outperformed each of the benchmarks required and complied with the Ministers Investment Order.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

2 MONTHLY REVIEW - 2019/2023 DELIVERY PLAN AND OPERATIONAL PLAN 2019-2020 (16.00155)

Recommendation: That the information be noted.

Report: Bathurst Regional Council has in place the Bathurst 2040 Community Strategic Plan which aims to inform the community about the major directions and programs Council is undertaking in shaping the future of the Bathurst Region. These directions are summarised as objectives and strategies in the Community Strategic Plan which was adopted by Council on 19 June 2019. The Plan is available for viewing at the council offices at 158 Russell Street or can be downloaded from the Public Documents section of Council's website, www.bathurst.nsw.gov.au/council/general-information/public-documents. A listing of the Objectives and Strategies from the Bathurst 2040 Community Strategic Plan can be found within the Plan commencing from page 22.

At **attachment 1** is an update of Council's progress towards achieving the Strategies and Objectives for the 2019-2023 Delivery Plan and the Annual Operational Plan 2019-2020.

The Local Government (General) Regulation 2005 has been amended by inserting clause 413A to make it the duty of the General Manager to give timely information to Councillors about any fines or penalty notices from agencies such as the Australian Taxation Office, the Roads and Maritime Services or the Environment Protection Authority, or where a court or tribunal makes a costs order against a council.

Fines or penalty notices this month - Refer to attachment 1.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)

Recommendation: That the information be noted and any additional expenditure be voted.

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 30 September, 2019 including a report on annual Rental Subsidies granted by Council.

Financial Implications: Council's Sundry Section 356 Donations and Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies are included in the current budget, which currently have a balance as follows:

Section 356 Sundry	\$16,500.00
BMEC Community use:	\$ 7,624.36
Mount Panorama:	\$ Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 5: Community health, safety and well being Strategy 5.3
- Objective 6: Community leadership and collaboration Strategy 6.5

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

Report: That the General Manager's action in affixing the Power of Attorney to the following be noted.

- **General Items**

Nil

- **Linen Plan Release**

Nil

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

**5 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, plus file number for each item)**

Recommendation: That the information be noted.

Report: The following items have been included in the confidential section of the business paper for Council's consideration:

1 RENEWAL OF COMMUNITY LEASE - PART LOT 101 DP 1204847 KNOWN AS 7 LEE STREET, KELSO (22.02268)

This report relates to the proposed renewal of a community lease at 7 Lee Street, Kelso.

2 RURAL LICENCE AGREEMENT - CROPPING ONLY FOR PART LOT 2 DP1233088, KNOWN AS EDGELLS LANE, KELSO (04.00149)

This report relates to the proposal to lease land for cropping at Edgells Lane, Kelso.

3 RENEWAL OF COMMUNITY LICENCE - PART LOT 20 DP1119593 COLLEGE ROAD, BATHURST ALSO KNOWN AS THE JUNKTION (37.00230)

This report relates to the proposed renewal of a community licence agreement for The Junktion, College Road, Bathurst.

4 SALE OF PROPERTY AT LOT 2 DP242242 KNOWN AS LITTLE SCALLYWAGS AT 288 HAVANNAH STREET, BATHURST (22.00579)

This report relates to the proposed sale of 288 Havannah Street, Bathurst.

5 SALE OF LAND AT LOT 9 AND LOT 11 DP758833 KNOWN AS WELLINGTON STREET, PEEL (22.09231)

This report relates to the proposed sale of land in Wellington Street, Peel.

6 COMMUNITY LEASE - PART LOT 193 DP821845 KNOWN AS OLD RAGLAN SCHOOL HALL AT 58 CHRISTIE STREET, RAGLAN (22.00876)

This report relates to the proposal to enter into a Community Lease Agreement at 58 Christie Street, Raglan.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A Jones', written over a large, hand-drawn oval shape.

A Jones
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 OCTOBER 2019

1 DESIGN FOR ALEC LAMBERTON PARK (37.00681)

Recommendation: That:

1. Council endorse the concept design plan prepared by dsb Landscape Architects and place the plan on public exhibition for 28 days
2. if no significant amendments are deemed necessary following consideration of submissions received from the public, Council adopt the Alec Lamberton Park Concept Design, and
2. Should it be deemed necessary to significantly alter the draft plan, following any comments received during the public submission period, a further report be presented to Council for consideration.

Report: On 4 July 2019, following standard procurement processes, Council awarded a consultancy to dsb Landscape Architects to develop a full detailed design for the redevelopment of Alec Lamberton Park, formerly land that was once utilised as a football facility / clubhouse by a local sports association. Dsb Landscape Architects were required to prepare detailed design drawings, construction plans, specification documentation and tender estimate of costs for future Tender and construction purposes, with the design to be guided by community desires.

PRECIS FOR DESIGN DEVELOPMENT

Councillors would be aware that at its Ordinary Meeting held 15 May 2019, Council resolved to:-

- (a) adopt the Alec Lamberton Field Masterplan Community Consultation Report; and
- (b) note that the preparation of a landscape plan will now be commissioned.

The Master plan community consultation report was developed by consultants Western Research Institute (WRI) to gather the community's ideas, suggestions and wishes for the future of the Alec Lamberton site. The primary use that was proposed for Alec Lamberton Park by the community and highlighted within the WRI report is for this area to be developed to provide for competitive sport and training purposes.

Within the Draft Bathurst 2040 Open Space Strategy Report that is in its final development stage, it has been identified that there is a demand for additional sports facilities to cater for the growing population of Bathurst and the increased participation of sports in general. It has been proposed as a recommendation of the Open Space Strategy that Alec Lamberton Park be developed for multi use functions, with both passive community and active sporting use within the site.

In respect to the growing demands placed on Council on a yearly basis by many of Bathurst sporting organisations, it is clearly evident that there is a lack of usable sports playing surfaces that have lighting to meet basic preseason and other training needs.

DESIGN INCLUSIONS

For the information of Councillors, the following key elements / suggestions that were raised by the community for the future vision of Alec Lamberton Park have been included in the design brief, which the design consultant is to incorporate: -

- Demolition of any existing infrastructure unable to be incorporated in the new development, including the existing clubhouse facility.

- Provision of two multi use rectangular sports fields with drainage, automatic irrigation control, and field lighting for training purposes. An electronic control system is also required for field lighting to administer multi user group access and billing.
- Automatic irrigation for other softworks landscaping treatments throughout the site.
- Construction of an amenities building incorporating public toilets & change rooms.
- The provision of a multi use function room / meeting room for community groups to be incorporated as part of the facility design.
- Incorporation of off street parking, with lighting.
- Incorporation of passive recreation elements such as, seating, shelter, tables, play equipment, general landscaping.
- Vegetation plantings throughout the site.
- Car parking requirements with lighting.
- Development of a passive open space site / arboretum with walking path network.
- The development of a landscape "Welcome to Bathurst Entrance Statement" feature within the verge area at the Lee / Littlebourne Street intersection. The landscape entrance statement is to incorporate automatic irrigation to all plantings. The feature landscape statement is to complement the existing entrance statements along the Mid Western and Mitchell Highways, Bathurst.

Dsb Landscape Architects have completed the review of the various community consultation reports, assessed the site opportunities / restrictions and have developed a concept plan for the Alec Lamberton Park site, which was presented to Council at a recent Working Party. The Concept Plan is provided at **attachment 1**.

At the Councillors Working Party, it was discussed that the initial concept provided at that meeting may not have identified some of the passive elements that were raised within the community consultation process. As such, the concept plan has been modified to include additional works to the western section of the site. The open area was intended to be used as informal open space, with not much in the way of infrastructure. However, it has now been designed to provide a more formal passive recreational environment and is proposed to incorporate a walking path with seating in amongst an arboretum style treed space.

FURTHER COMMUNITY CONSULTATION

As part of their brief, dsb Landscape Architects will be required to undertake further community consultation to gauge the community's expectations of the concept design prior to proceeding with final design drawings.

Dsb Landscape Architects will be required to undertake the following works within their contract:-

- Place the draft design for Alec Lamberton Park on public exhibition for 28 days.
- Engage with all community interest groups that engaged within the initial consultation process about Alec Lamberton Park, including the White Rock Progress Association and the Scots School.
- Letter drop to the residential area of White Rock Road.
- Media awareness of the public exhibition process.
- Public survey via the Your Say Website.

RECOMMENDATION

It is recommended that Council endorse the concept design plan prepared by dsb Landscape Architects and place the plan on public exhibition for 28 days to seek community comment on the proposed design concept that has been developed. The exhibition process will include notifying the major groups that contributed to the WRI community consultation report.

It is further recommended that, subject to any significant amendments or concerns following the public exhibition process, dsb Landscape architects finalise the design by developing detailed construction plans and specification documents for tender purposes. The development of the park would then be a matter for future Management Plan funding provisions.

Should it be deemed necessary to significantly alter the draft Plan following any comments received during the public submission period, a further report will be presented to Council for their consideration.

Financial Implications: The cost of the consultancy for the design of Alec Lamberton Park has been provided for within Council's current Management Plan.

The estimated cost to construct the proposed concept design plan will be identified as this project progresses further into the details of the design.

Funding to develop the site in accordance with the approved design would be subject to future budgetary deliberations.

Bathurst Community Strategic Plan - Objectives and Strategies

- | | |
|--|-------------------|
| ● Objective 1: Our sense of place and identity | Strategy 1.5 |
| ● Objective 4: Enabling sustainable growth | Strategy 4.1, 4.3 |
| ● Objective 5: Community health, safety and well being | Strategy 5.1 |

Community Engagement

- | | |
|-----------|--|
| ● Consult | To obtain public feedback on alternatives and/or decisions |
|-----------|--|

2 ROAD SAFETY OFFICER PROGRAM UPDATE (16.00018)

Recommendation: That Council continues its commitment to the Road Safety Officer Program and retains a Road Safety Officer position to 30 June 2021, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services.

Report: A report was presented to the 20 June 2018 meeting of Council which outlined the then status of the Road Safety Program and the position of Road Safety Officer (RSO).

At that meeting Council resolved:

"That Council continues its commitment to the Road Safety Officer Program and commences a new RSO employment contract to 30 June 2018, subject to the ongoing support of the Blayney Shire Council and Roads and Maritime Services."

The previous contract term for the RSO position expired on 30 June 2019 and therefore Council requires to consider its ongoing commitment to the program. The funding agreement for this program is for 2 years and delivery of this program will continue as per previous years.

Transport for NSW (TfNSW) and the RMS work in partnership with local Councils to fund Local Government Road Safety Program (LGRSP) projects targeting road safety issues at a local level.

The objectives of the LGRSP are to:

- Adopt the Safe System approach to plan, develop and implement evidence-based projects aimed at improving road user safety in local communities.
- Raise the profile of road safety within local government areas (LGAs).
- Facilitate the involvement of local businesses, government agencies and community groups/clubs in road safety project development.
- Improve the coordination of local government road safety initiatives with regional, state and national road safety initiatives.
- Review and evaluate the effectiveness of community-based road safety projects.

The RMS has recently sent correspondence to Council providing an opportunity to commence a new Road Safety Program contract, for a period of 24 months, commencing 1 July 2019 and concluding 30 June 2021.

Council has been a part of the Roads and Maritime Services RSO Program since 1999 when it joined Oberon, Evans, Rylstone, Blayney and the RMS to form the Tablelands Road Safety Group. The program and Council's participation continues today, although due to amalgamations and the withdrawal of Oberon Shire Council the membership has been reduced to Blayney, Bathurst and the RMS.

The program arrangements are defined by the Program Funding Agreement on the basis that 50% of employment costs are borne by the RMS, while the remainder is provided by the member Councils. Bathurst's current share is 33% plus the provision of office space. The cost of individual projects conducted within any year, is subject to approval from and is fully funded by the RMS.

This financial year, the RSO proposes to carry out the following road safety programs and other initiatives:

RMS/RSO Funded Program Work

- **Safe Commuting** – a regionally focused education and awareness project aimed at highlighting the dangers of speed and fatigue, particularly after long working hours, with a focus on young drivers, shiftworkers and tradies.
- **Free Cuppa for the Driver** – a regional program co-ordinated across Western, South West and Upper Hunter Regions that encourages drivers to take breaks during long drives.
- **Road User Coexistence** - A research initiative to gather a picture of community knowledge gaps and attitudes towards sharing of the road between pedestrians, cyclists and motorists.
- **Plan B Win a Swag** – a regional program which encourages responsible driving behaviour and alternatives to drink driving

Additional Work

- Education workshops for Learner Driver Supervisors.
- Bathurst 1000 Races – co-ordinate with NSW Police Highway Patrol for promotion of safer driving and road safety awareness within Mount Panorama precinct during Bathurst 1000 Race Week
- Safety Around Schools – working collaboratively with Council, schools and RMS to improve safety around schools, e.g. parking, pedestrian safety, speeding, safe drop off/pick up zones, signage, bus zones, etc.
- Child Restraint fitting days allowing parents to have their child restraints checked and fitted properly
- RMS Campaigns: *Don't Trust Your Tired Self* (fatigue), *Motorcycle Awareness Week*
- Seniors Support. Stepping on Falls Prevention program focusing on being a safe pedestrian with the challenges of reduced mobility. Road Safety for the Frail Aged presentation
- Top 10 Misunderstood Road Rules – community education and workplace presentations
- Guest speaking roles for community groups, clubs and workplaces
- Bike Forums (RMS) and provision of community education re cycling and shared road environment
- Promotion and assistance with 3rd party road safety initiatives with NRMA, Little Blue Dinosaur, Truck Friendly.
- Promotion of State and National Road Safety events, Walk Safely to Work/School, Fatality Free Friday, Rural Road Safety Month, National Road Safety Week, Bike Week, etc.

Given the benefits of the Road Safety Program in implementing road safety behavioural projects and increasing road safety awareness at a local level, it is recommended that Council continue to participate in the Program until 30 June 2021. Should Blayney withdraw from the program then a further report will be presented to Council.

Financial Implications: The annual funding for the position is 33% of employment cost, estimated to be \$37,000 per year.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.2
- Objective 5: Community health, safety and well being Strategy 5.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

**3 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 32.00017, 13.00031, 36.00722)**

Recommendation: That the information be noted.

Report: The following items have been included in the confidential section of the business paper for Council's consideration:

**1 ENGAGEMENT OF CONSULTANTS FOR WATER SECURITY (32.00017 AND
13.00031)**

This report provides an update on the consultancies assisting Council.

**2 TENDER FOR SUPPLY AND DELIVERY OF WATER TREATMENT CHEMICALS
2019-2020 (36.00722)**

This report considers the tender for the supply and delivery of various water treatment chemicals to Council.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

4 ENGAGEMENT OF CONSULTANTS FOR WATER SECURITY (32.00017 AND 13.00031)

Recommendation: That the information be noted.

Report: Councillors would be aware of the body of work that is being carried out regarding water security for Bathurst. Council has identified short term projects that with appropriate assistance will provide additional water sources.

As previously advised by way of Confidential Memorandum to Councillors dated 27 September 2019, Council has engaged a number of consultancies to assist with the current water security matter, as follows:-

1. Public Works Advisory (PWA)

PWA have been engaged by Council as the lead Alliance Consultant with BRC/PWA Work team. They have been engaged to provide:-

- End Use Model and Options Analysis
- Peer Review of Council staff water modelling
- Winburndale Dam Pipeline duplication investigation
- Chifley Dam Pipeline investigation
- Drought Management Plan background studies and review

2. Premise (formerly Geolyse)

This is an engineering consultancy firm that has been engaged to carry out investigation of stormwater harvesting and also options advice/peer review of work carried out by BRC staff.

3. Western Region Institute (WRI)

WRI have been engaged by Council to provide economic modelling to better inform State Government of value of the Bathurst Economy and economic justification to provide investment into necessary water infrastructure. Specifically, this includes impacts and options analysis along with Multivariate Analysis.

4. Crennan Legal

NSW State Government have requested that Council provide legal advice to the Government on the process to vary the water sharing plan to Bathurst, including temporary reduction of allocation to the irrigators. In addition, Crennan Legal are assisting Council on the best way to navigate through the planning approvals required for planned work.

5. City Water Technology

This company has been engaged to carry out technical investigation for Arsenic Removal Options Assessment for Winburndale Dam and UV Treatment Options to upgrade the Water Filtration Plant, including consideration of quality impacts from combining the general existing supply plus Winburndale Dam and stormwater harvesting.

6. Risk Edge

This company has been engaged to provide water quality investigation, reporting and advice for use of Winburndale for potable supply, to ensure that potential use for drinking water will meet Australian Drinking Water Guidelines.

7. WH Water

This company is a water broker and has been engaged to enquire on behalf of Council for potential for purchase or both groundwater and general access irrigation licences.

8. GEO 9

This company has been engaged to carry out bore water source identification. First stage was a desktop review of potential groundwater locations, Stage two of this work has been commenced, with field testing of 176 bore locations concluded and a report expected imminently.

9. Optimos Pty Ltd

Optimos have been engaged to supply and install a Coliminder - a continuous monitoring water quality instrument to the incoming Winburndale Pipeline at Kelso (at the existing pump station) where security, power and weather proof facilities are available. The instrument will provide data continuously (in real time) on the water quality from Winburndale Dam.

10. Smart Water Mark

Smart Water Mark have been engaged by Council to provide water efficiency audits to 26 of the largest users of Bathurst's potable water supply. 20 of these are private businesses, 6 are council sites. This may be extended to cover more businesses.

As the investigation and design works continue, further consultancies and or extensions of the ones detailed above may be required.

The above work is funded from the \$2M that has been recently provided by the State Government.

Please Note: there is also a Confidential Report contained in the business paper for this meeting which relates to the commercial in confidence details of each individual consultancy.

Financial Implications: \$2M funding has been provided to Bathurst Regional Council by the State Government for purposes of Water Security.

Bathurst Community Strategic Plan - Objectives and Strategies

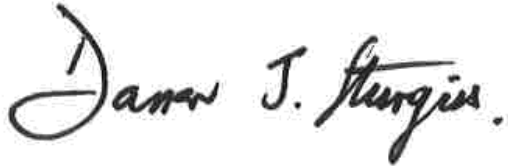
- Objective 6: Community leadership and collaboration Strategy 6.6
- Objective 3: Environmental stewardship Strategy 3.2

Community Engagement

- Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully

A handwritten signature in black ink that reads "Darren J. Sturgiss." The signature is written in a cursive, flowing style.

Darren Sturgiss
DIRECTOR
ENGINEERING SERVICES

DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 OCTOBER 2019

1 2019/2020 RURAL VILLAGE IMPROVEMENT PROGRAM (16.00104)

Recommendation: That Council distribute the 2019/2020 Rural Village Improvement Program funding as follows:

Name of Association	Project Requested	Total Requested
Hill End & District Volunteer Bushfire Brigade	Sign for local and visitor directory/information	\$2,850
Rockley & District Community Association	Repair two original double doors at School of Arts Hall	\$2,850
Sofala and District Agricultural & Horticultural Show Society Inc	Storm water drainage concreting to prevent water damage to pavilions	\$1,425
Sofala Progress Association Inc	Extension of 2018/2019 project– install wash hand basin in kitchen and painting of hall following repair of white ant damage in the hall	\$1,425
Sunny Corner & District Progress Association Inc	Concrete pathways around Sunny Corner Hall	\$2,850
Trunkey Creek Progress Association	Drainage works at Trunkey Creek Hall and repair to hall floor	\$2,850
Wattle Flat Heritage Lands Trust	Joint project with Wattle Flat Progress Association – Electric Outdoor BBQ Thompson Street Reserve (11705 part)	\$2,850
Wattle Flat Progress Association	Joint project with Wattle Flat Heritage Lands Trust – Electric Outdoor BBQ Thompson Street Reserve (11705 part)	\$2,850
Yetholme Progress Association	Extension requested of 2018/2019 project – prepare and install notice and information board with location map as first stage of interpretive signage program for village	\$2,850
TOTAL AMOUNT		\$19,950.00

Report: An amount of \$20,000 has been provided for in the 2018/2019 Annual Operating Plan and Budget for the Rural Village Improvement Program.

Bathurst Regional Council instituted a Rural Village Improvement Program in 2005/2006 to facilitate the long term viability of the villages in the Bathurst Regional Council area. The program is based on the premise of horizontal equity – “the provision of public facilities each of a similar grade” to villages across the local government area.

Since the program’s introduction, Council has made contributions to the villages of Hill End, Rockley, Sofala, Trunkey Creek, Wattle Flat, Sunny Corner and Yetholme in improving the infrastructure available to their residents. Over \$1,000,000 has been provided through this program during the last twelve years.

Each village association is invited to provide submissions for funding for Council's consideration.

Council provided the following exclusions for the use of this funding:

- Insurance payments
- Operational costs of the organisation (ie utilities)
- Food and beverages

Upon approval of the project and proof of expenditure a reimbursement of costs is provided to each group. An acquittal form was introduced as part of the 2010/2011 process requiring all grant recipients to detail their projects and expenditure.

The \$20,000 was equitably split between villages with each village eligible to receive \$2,850. If a particular village had more than one organisation previously engaged in this process this amount was further split to provide funding. For example, as Sofala has two community organisations who have received funding in prior years, each group has been allocated \$1,425.

The current programs allocation in accordance with Bathurst Regional Council's 2019/2020 Annual Operating Plan and Budget is \$20,000.

The table below summarises the applications received from the Village community organisations for the 2019/2020 program:

Name of Association	Project Requested	Total Requested
Hill End & District Volunteer Bushfire Brigade	Sign for local and visitor directory/information	\$2,850
Rockley & District Community Association	Repair two original double doors at School of Arts Hall	\$2,850
Sofala and District Agricultural & Horticultural Show Society Inc	Storm water drainage concreting to prevent water damage to pavilions	\$1,800
Sofala Progress Association Inc	Extension of 2018/2019 project– install wash hand basin in kitchen and painting of hall following repair of white ant damage in the hall	\$1,425
Sunny Corner & District Progress Association Inc	Concrete pathways around Sunny Corner Hall	\$2,850
Trunkey Creek Progress Association	Drainage works at Trunkey Creek Hall and repair to hall floor	\$2,850
Wattle Flat Heritage Lands Trust	Joint project with Wattle Flat Progress Association – Electric Outdoor BBQ Thompson Street Reserve (11705 part)	\$3,750
Wattle Flat Progress Association	Joint project with Wattle Flat Heritage Lands Trust – Electric Outdoor BBQ Thompson Street Reserve (11705 part)	
Yetholme Progress Association	Extension requested of 2018/2019 project – prepare and install notice and information board with location map as first stage of interpretive signage program for village	\$2,850
TOTAL AMOUNT		\$21,225.00

The Village Improvement Program, whilst an infrastructure program, has also built invaluable social capital and capacity in each village that is essential in maintaining a quality of life to attract residents and visitors alike. The level of pride and satisfaction that members of the

community displayed is admirable. It is abundantly clear the residents in these villages are committed to ensuring they maintain a high level of social interaction and in doing so have developed an acute sense of place.

Council's return, in regards to the social capacity, pride and respect this program has generated in each village, far outstrips the dollar amount allocated over the life of the program

Financial Implications: An amount of \$20,000 has been provided for in the 2019/2020 Annual Operating Plan and budget for the Rural Village Improvement Program.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.2
- Objective 2: A smart and vibrant economy Strategy 2.6
- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 5: Community health, safety and well being Strategy 5.2
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

2 BATHURST REGIONAL YOUTH COUNCIL - ATTENDANCE AT YOUTH COUNCIL CONFERENCE, BLACKTOWN CITY COUNCIL, 13 - 15 SEPTEMBER 2019 (11.00020)

Recommendation: That the information be noted.

Report: Five of the Bathurst Regional Youth Councillors were provided the opportunity to attend a three-day NSW Youth Council Conference, hosted by Blacktown City Council, from Friday 13 to Sunday 15 September 2019. The Conference offered a jam-packed program featuring a wide variety of topics and presenters. The Conference was well-received by the group and they have returned with many ideas to share with their fellow Youth Councillors.

The Youth Councillors had the opportunity to meet and brainstorm with over one hundred and twenty-five other Youth Councillors from metropolitan and regional Youth Councils.

Topics presented at the Conference included:

- Socialism,
- Climate Change,
- Mental Health,
- Culture and Diversity,
- Social justice,
- Youth and Family Violence and;
- Youth Homelessness

They also listened to inspirational speakers who spoke and sang about their real-life experiences and the challenges they have faced, including homelessness.

A guest panel, featuring NSW politicians, addressed the Conference and provided a debate regarding current youth issues, including climate change.

Financial Implications: Funding for this item is contained within existing budgets and Blacktown City Council provided \$1,600 financial assistance for travel and accommodation expenses.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 5: Community health, safety and well being Strategy 5.1
- Objective 6: Community leadership and collaboration Strategy 6.3, 6.7

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

3 BATHURST LIBRARY STRATEGIC PLAN 2019-2024 (21.00054)

Recommendation: That Council adopt the Bathurst Library Strategic Plan 2019-2024.

Report: At the ordinary meeting of Council held on 21 August 2019, Council resolved that the draft Bathurst Library Strategic Plan 2019-2024 be placed on public exhibition for 28 days. A copy of the draft Bathurst Library Strategic Plan 2019-2024 was provided at the meeting held 21 August 2019 (DCCS Report #6).

The draft plan was placed on public exhibition from Thursday 22 August 2019 until Thursday 19 September 2019. The draft plan was made available to members of the public at the following locations during this period encouraging review and comment.

- Council website
- Bathurst Library
- Council's Civic Centre (Ground Floor and First Floor)
- Council's Cultural Facilities (Art Gallery, BMEC, Australian Fossil & Mineral Museum, Chifley Home & Education Centre)

At the closing date for submissions, two responses had been received as follows:

Submission	Council Response	Action
Praise for the Library layout and staff. Would like to see more scientific material	Under the Strategic Priorities "Dynamic Collections" key initiative is to "increase community participation in Library collection activities". One action, to achieve this, is seeking more community input into book buying decisions.	No change to plan.
Need to improve the accessible toilet	This issue has been identified through actions contained in Council's Disability Inclusion Action Plan. At the time of drafting the Council report Council has engaged an Access Consultant who is auditing a range of priority public toilets for access improvement. The actions of this will come back to Council through annual budgeting processes.	No change to plan.

The submissions have been noted to be included in Library operations, there are no other changes required to be made the plan.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 2: A smart and vibrant economy Strategy 2.3
- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 5: Community health, safety and well being Strategy 5.1, 5.4, 5.5
- Objective 6: Community leadership and collaboration Strategy 6.2, 6.3, 6.4, 6.6

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

4 DRAFT BATHURST REGION DESTINATION MANAGEMENT PLAN 2019-2024 (20.00299)

Recommendation: That Council:

- (a) Endorse the placement of the draft Bathurst Region Destination Management Plan on public exhibition for the statutory 28-day period and receive submissions until Thursday 14 November 2019.
- (b) Adopt the Bathurst Region Destination Management Plan if no submission/s are received during the public exhibition period.
- (c) Prepare a further report to Council if submission/s are received during the public exhibition period.

Report: Council, at its meeting of 20 February 2019, resolved to note the completed priorities and actions of the Bathurst Region Destination Management Plan 2015 and to commence, during 2019, the development of a new Bathurst Region Destination Management Plan (DMP) including industry, community and Councillor engagement.

Best practice Destination Management fosters a viable, vibrant and progressive tourism business sector and provides a framework to drive growth in a regional visitor economy. The State and Federal Governments have both identified a well-developed Destination Management Plan as a critical requirement for accessing future investment. The plan must be a shared statement of intent, capturing the agreed needs of industry to assure the government that any investment is used on projects that support this need.

A consultation and engagement period occurred in May/June utilising the services of specialist communications company *Flagship Communications*. Consultation included a series of six community and industry workshops, a Working Party with Councillors on Wednesday 22 May, an online survey, receipt of written submissions and multiple individual meetings and follow up phone calls. A copy of *Flagship Communications* consultation report is an appendix to the DMP. A copy of the draft DMP is at **attachment 1**.

In addition to consultation and engagement, the process of developing the Plan included a complete literature review, a regional product audit and extensive research regarding the current state of the tourism industry and likely future trends. Tourism as an industry is undergoing significant fundamental changes with the rise of the digital age, the use of social media to plan and to share experiences and by the diffusion of recreational time and proliferation of available recreational alternatives to traditional travel. The new DMP has been developed to provide guidance through this time of change and to ensure that the Bathurst region remains current, competitive and delivers the experiences and opportunities expected by the 21st Century traveller.

The DMP aims to:

- Establish the state of tourism in the region now and define where we want to be
- Identify priorities and guide destination management and marketing activities from 2019-2024
- Support industry in determining priorities and accessing funding opportunities
- Provide alignment to the objectives of the regional Destination Network and to NSW State Government priorities
- Support the objectives of Councils 2040 Community Strategic Plan

Though the research and engagement process, four Strategic Priority Areas have been identified:

- Enhancing Awareness and Driving Demand
- Building the Experience Base
- Capacity Building and Collaboration
- Enhancing the Visitor Servicing Model

The Action Plan of the Plan sets out actions that will deliver upon the vision for a vibrant tourism industry that contributes strongly to the social and economic wellbeing of the community of the Bathurst region.

Exhibition Process

The draft DMP will be made available at the following locations, during the 28-day public exhibition period:

- Council website www.bathurst.nsw.gov.au
- Bathurst region tourism website www.bathurstregion.com.au
- Bathurst Visitor Information Centre
- Council's Civic Centre (Ground Floor and First Floor)
- Council's Cultural Facilities (Art Gallery, Bathurst Library, BMEC, Australian Fossil & Mineral Museum, National Motor Racing Museum, Chifley Home & Education Centre)
- Copies will be provided to those who participated in the consultation process (mail out).

A notice will be placed in the Council Notices in the Western Advocate Newspaper, to further advise of the public display of the document. A summary version of the DMP will be made available as part of the exhibition documentation.

Community feedback will be considered prior to Council adopting the Bathurst Region Destination Management Plan.

Financial Implications: Funding for this item is contained within existing budgets. Ongoing implementation of the Action Plan will be included in future draft budgets for consideration by Council

Bathurst Community Strategic Plan - Objectives and Strategies

- | | |
|--|----------------------------------|
| • Objective 1: Our sense of place and identity | Strategy 1.1, 1.2, 1.3 |
| • Objective 2: A smart and vibrant economy | Strategy 2.1, 2.2, 2.3, 2.5, 2.6 |
| • Objective 4: Enabling sustainable growth | Strategy 4.3 |
| • Objective 5: Community health, safety and well being | Strategy 5.2, 5.4 |
| • Objective 6: Community leadership and collaboration | Strategy 6.1, 6.2, 6.6, 6.8 |

Community Engagement

-

Inform

To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alan Cattermole', with a stylized flourish at the end.

Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 2 OCTOBER 2019 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 2 October 2019 be adopted.

Report: The Minutes of the Policy Committee Meeting held on 2 October 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTES OF THE POLICY COMMITTEE
HELD ON 2 OCTOBER 2019

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

A minute silence was held in respect to the recent passing of Robert Pattinson.

Present: Councillors Bourke (Chair), Aubin, Christian, Fry, Hanger, Morse, North, Rudge.

APOLOGIES

2 APOLOGIES
MOVED Cr J Rudge and **SECONDED** Cr A Christian

RESOLVED: That the apology from Cr Jennings be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 SEPTEMBER 2019 (07.00064)
MOVED Cr I North and **SECONDED** Cr J Rudge

RESOLVED: That the Minutes of the Policy Committee Meeting held on 4 September 2019 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST
MOVED Cr J Rudge and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

GENERAL BUSINESS

8 BUS SHELTER ROCKLEY 28.00022

Cr North - Requested Bathurst Regional Council give consideration to installing a bus shelter near Rockley School.

Cr North tabled a request from the bus line operator

9 Item 2 BATHURST CYCLING CLASSIC - COMMUNITY FEEDBACK 23.00128

Cr North - Sought an update on the community feedback that Bathurst Regional Council has received in relation to the Bathurst Cycling Classic.

Acting General Manager - advised positive feedback had been received, and reminded Council of the upcoming information sessions.

10 Item 3 PERTHVILLE ROADWORKS 25.00131

Cr North - Requested an update on this project.

Director Engineering Services - Advised that as soon as the sealing contractor was available that the works would be completed.

11 Item 4 PERTHVILLE MULTI- PURPOSE COURTS 37.00562

Cr North - Requested an update on this project.

Director Engineering Services - Advised that the tenders for this project are anticipated to be called by the end of October.

12 Item 5 MITRE / SUTTON/ LAMBERT STREETS ROUNDABOUT 36.00713

Cr North - Requested an update on the progress of this project.

Director Engineering Services - Advised that Bathurst Regional Council is waiting on the availability of service providers to co-ordinate a combined site meeting.

13 **Item 6 STREET SIGN AUDIT 28.00007**

Cr Christian - Asked when Bathurst Regional Council has last undertaken a street sign audit in the CBD?

Director Engineering Services - Took the question on notice and will respond directly back to Councillors.

14 **Item 7 WEEDS ON SYDNEY ROAD & STEWART STREET 25.00018**

Cr Christian - Noted that the weeds along Sydney Road - Stewart Street are not being controlled, and requested that Bathurst Regional Council follow-up the RMS.

Director Engineering Services - Advised that Sydney Road is part of a regular maintenance contract, and the other roads will have the timing of their programmed maintenance reviewed.

15 **Item 8 NEW MAYOR 12.00005**

Cr Christian - Congratulated Cr Bourke on his appointment as Mayor, and looks forward to Councillors working together.

16 **Item 9 STATE OF WATER EMERGENCY 13.00031**

Cr Fry - Foreshadowed a notice of Motion seeking Bathurst to be declared in a state of water emergency. Asked the Director Engineering Services whether this declaration would be positive or negative step.

Mayor - Responded that a meeting has been secured with the Minister for Water, Melinda Pavey MP on 23 October.

17 **Item 10 LANDSCAPE RESILIENCE FIELD DAY 23.00026**

Cr Fry - Advised of the Landscape Resilience Field Day being held in Bungendore on 2nd November and encouraged Councillors and Council Staff to attend.

18 **Item 11 LARGE DATA CENTRE FOR BATHURST 20.00105**

Cr Fry - Requested a report on the scope and feasibility on the development of a large data centre in Bathurst.

19 **Item 12 MEALS ON WHEELS 18.00236**

Cr Morse - Tabled Meals on Wheels' AGM report, and acknowledged the assistance that Bathurst Regional Council has provided to Meals on Wheels.

20 **Item 13 LIBRARY SERVICE IN BATHURST 21.00054**

Cr Morse - Spoke of the recent article in the Sydney Morning Herald. Commended Bathurst as being one of the leading libraries with the range of services provided. Sought Bathurst Regional Council to continue collaboration with the Historical Society.

21 **Item 14 BUS PARKING BEHIND MCDONALDS 25.00004**

Cr Morse - Asked if there were any plans to improve the bus parking area behind McDonalds, specifically in relation to signage and accessibility.

Director Engineering Services - Advised that Bathurst Regional Council has received funding with works to be completed by December.

22 **Item 15 10 WILLIAM STREET 22.03984**

Cr Morse - Asked if Bathurst Regional Council could do anything in relation to the current appearance of 10 William Street?

Director Environmental Planning Building Services - Noted that the building is in poor condition, and that Bathurst Regional Council has made attempts to contact the owner.

23 **Item 16 COUNCIL EMAIL ACKNOWLEDGEMENT 15.00025**

Cr Morse - Sought an update on providing an automated acknowledgement to emails sent to Bathurst Regional Council.

Acting General Manager - Advised that works on this facility are underway.

24 **Item 17 BOYD STREET PROPERTY 13.00025**

Cr Aubin - Asked what Bathurst Regional Council can do in relation to the rubbish that is being stockpiled on a property in Boyd Street. Mentioned that Vermin appears to be enclosing on neighbouring properties.

Director Environmental Planning Building Services - Advised that Bathurst Regional Council have powers when there is a public health risk, and will look into the situation.

25 **Item 18 PARKING IN FRONT OF OLD AMBULANCE STATION 28.00006**

Cr Aubin - Advised that the traffic Committee have approved the installation of parking signs in front of the old Ambulance Station in William Street.

26 **Item 19 MAYOR'S MEETINGS WITH MINISTERS 11.00005**

Cr Aubin - Requested an update from the Mayor in relation to the recent meetings held with State Ministers.

Mayor - Provided an update of the separate meetings held with the Minister for Mental Health, Regional Youth and Women, Bronwyn Taylor MLC, and the Minister for Counter Terrorism and Corrections, Anthony Roberts MP.

27 **Item 20 RED BENCH PROJECT 07.00107 & 04.00039**

Cr Rudge - Spoke of the launch of the Red Bench in Kings Parade, and thanked the Council staff involved in making this happen.

28 **Item 21 BRAG ART FAIR 21.00002**

Cr Rudge - Spoke of the BRAG Art Fair and their fundraising activities to buy permanent collection items. Thanked Council staff for their continued support of the BRAGS Committee.

29 **Item 22 COLLEGE ROAD PARK 04.00034**

Cr Rudge - Thanked Council staff for works that have been completed at the College Road park. Noted that the CWA are intending to donate a bench for the park.

30 **Item 23 RIVER ROAD 25.00125**

Cr Rudge - Thanked Council staff for repairing the pot hole on River Road. Asked for an update on the installation of no standing signs?

Director Engineering Services - Advised that this has been referred to the next traffic committee for consideration.

31 **Item 24 HEREFORD STREET CAR PARK 25.00035**

Cr Rudge - Thanked Council staff for the works to improve the car park near the low level bridge along Hereford street.

32 **Item 25 MACHATTIE PARK AMENITIES 04.00012**

Cr Rudge - Thanked Council staff for the recent installation of mirrors into the toilet blocks in Machattie Park.

33 **Item 26 MORSE PARK AMENITIES 04.00045**

Cr Rudge - Thanked Council staff for the tidy- up that has recently been undertaken at the amenities building in Morse Park.

34 **Item 27 WOMEN IN TRADES DAY 23.00026**

Cr Rudge - Updated Council on the recent "Women in Trades Day" that was held at CSU.

35 **Item 28 OCTOBER - BREAST CANCER AWARENESS MONTH 23.00026**

Cr Rudge - Spoke of the recent launch of Pink up Bathurst, and thanked Council staff for their support and involvement with this initiative.

36 **Item 29 LOCAL HEALTH SERVICE 18.00234**

Cr Rudge - On behalf of Cr Jennings acknowledged the work that Cr Aubin has been doing in relation to the local health service situation. Requested Bathurst Regional Council re-establish the Bathurst Health Council, and include appropriate representatives from the sector.

MEETING CLOSE

37 **MEETING COSE**

The Meeting closed at 6.45 pm.

CHAIRMAN: _____

Precis:

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 1 OCTOBER 2019 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 1 October 2019 be adopted.

Report: The Minutes of the Traffic Committee Meeting held on 1 October 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 1 OCTOBER 2019

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Clr Warren Aubin (BRC), Ms Jackie Barry (Roads & Maritime Services) and Mr David Veness (MP Representative).

Present: Mr Bernard Drum (Manager Technical Services), Mr Myles Lawrence (Civil Design & Project Engineer) and Mr Andrew Cutts (Tablelands Area Road Safety Officer) and Mr Paul Kendrick (Traffic & Design Engineer).

APOLOGIES

2 APOLOGIES

That the apology of Acting Sergeant Steven Chaplin (NSW Police) be accepted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 3 SEPTEMBER 2019 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 3 September 2019 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 3 SEPTEMBER 2019 (07.00006)

That the information be noted and necessary actions be taken.

6 Item 2 MONTHLY REPORT FOR LOCAL GOVERNMENT ROAD SAFETY PROGRAM (28.00002)

That the information be noted.

7 Item 3 RESTRICTED PARKING SPACE - SCALLYWAGS CHILD CARE CENTRE AT 34 WILLIAM STREET BATHURST (25.00002)

That Council implement a 'No Stopping – Council Authorised Vehicles Excepted' restricted parking space for Council's Scallywags parking area located at 34 William Street.

8 **Item 4 LINE MARKING OF PARKING SPACES AT BATHURST BASE HOSPITAL (22.01047)**

That angled parking spaces opposite Bathurst Base Hospital in Howick Street be line marked as per the Director Engineering Services' report.

9 **Item 5 INSTALLATION OF BUS ROUTE SIGN TURONDALE ROAD DURAMANA (28.00026)**

That Council approve the installation of a W6-205 'School Bus Route' sign outside 564 Turondale Road Duramana, subject to the conditions as noted in the Director Engineering Services' report.

10 **Item 6 CHANGES TO 2P PARKING – 116-138 WILLIAM STREET BATHURST (28.00026)**

That Council not approve changes to 2P parking restrictions outside 116-138 William Street, subject to the conditions as noted in the Director Engineering Services' report.

11 **Item 7 2020 SUSTAINABLE LIVING EXPO (23.00124)**

That the 2020 Sustainable Living Expo to be held on Saturday 28 March 2020 at the Bathurst Showground be classified as a Class 2 event and the traffic management for this event be endorsed subject to conditions as detailed in the Director Engineering Services' Report.

12 **Item 8 1/2P PARKING 252-254 AND 261-263 STEWART STREET (25.00036-06)**

That parking restrictions outside the businesses at 252-254 and 261-263 Stewart Street be modified to 1/2P parking as detailed in the Director Engineering Services' report.

13 **Item 9 NEW YEARS EVE CELEBRATIONS 2019 (23.00026)**

That the New Year's Eve celebrations to be held in Victoria Park on Tuesday 31 December 2019 be classified as a class 2 event and the traffic management be endorsed, subject to conditions as detailed in the Director Engineering Services' Report.

14 **Item 10 2020 ELTON JOHN CONCERT (23.00163)**

That the 2020 Elton John concert to be held on Wednesday 22 January 2020 at Carrington Park be classified as a Class 2 event and the traffic management for this event be endorsed subject to conditions as detailed in the Director Engineering Services' Report.

TRAFFIC REGISTER

15 **Item 1 TRAFFIC REGISTER (07.00006)**

That the information be noted.

MEETING CLOSE

16 **MEETING CLOSE**

The Meeting closed at 2.15pm.

COUNCILLORS/ DELEGATES REPORTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

16 OCTOBER 2019

1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 12 JUNE 2019 (11.00019)

Recommendation: That the information be noted.

Report: Present: Councillors Hanger (Chair), Bourke, Christian, Fry, Jennings, Morse, North, Rudge,

Apologies: Cr Aubin

1. Upstairs Start-up Hub 20.00312

James Lloyd, Mark Genovese met with Council.

Discussion included:

- Thanked Bathurst Regional Council for their initial and continued support
- Creates a community of aspirational/entrepreneurial creative people with basic ideas/initiatives
- Not just Bathurst, available to the Central West
- Provides access to mentors
- Using new technology - easier, quicker, smarter, cheaper
- About creating jobs
- Bathurst is one of the seven hubs set-up in NSW (Government funded) - Local Innovation Network (LIN) project
- Local Innovation Network (LIN) project - Virtual Incubation Program ran over 8 weeks

Upcoming Events:

- Pitch Fest
- Business Council of Australia
- CPA Australia
- David Koch
- Company Directors Association
- Transport NSW

All the above listed businesses have held previous events at the Upstairs Start-up Hub.

2. Constructive Energy 13.00065

Ashley Bland met with Council.

Discussion included:

- Utilises Upstairs Start-up Hub
- Spoke of "Grid Scale" renewable energy
- Grid is currently 20% renewable, projected to be 50% by 2025
- Spoke to movements in National Energy Market (www.gemo.com.au)
- Large scale solar without storage is likely to be viable (batteries)

3. CSU Visioning 18.00051

Julia Andrews and David Bedwell met with Council.

Discussion included:

- University concept
- Provided an overview of CSU and Bathurst campus
- Spoke to opportunities and challenges for Bathurst campus
- Local economy influences
- \$270 million worth of assets at the Bathurst campus

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

2 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 11 SEPTEMBER 2019 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Councillors Hanger (Chair), Aubin (left 6.10pm), Fry, Jennings, North, Rudge

Apologies: Councillor Christian

1. Towri Macs Centre 11.00019

Courtney Glazebrook and other representatives of Towri Macs met with Council.

Discussion included:

- Outlined service provided by group, predominately education role
- Towri Macs is one of four such services in the state
- Land gifted to Towri in 1984 to Education Trust
- Indigenous Business Australia now in charge
- Spoke to confusion over Land Title and finding issues with heritage buildings and repairs needed
- Require guidance on heritage buildings and repairs needed
- Spoke to changes to funding which is having an impact on ability of aboriginal community to access childcare
- Fees have had to be increased 500% due to changes in funding

Seeking:

- Financial assistance
- Help securing grant funding
- Liase with Indigenous Business Australia re: deal of gift
- Assistance with restoration of heritage buildings and advice

Future plans:

- Want to preserve Lot 1 for Aboriginal education
- Want to ensure Towri Macs to continue long term

2. Agricultural Forum 16.00171

A Edwards, N Di Falco, E Brown, M Inwood and V South, A Coglan and K Fish met with Council.

Discussion included:

Councillors asked various members of the business sector whether the region including local farmers, NSW Farmers Association and local business - agribusiness and production e.g. Simplot.

Topics included; job losses, loss of income, reduction in stock herds, lack of optimism of future prospects.

Issues for farmers:

- Water
- Proliferation of weeds - can Council provide additional support to Upper Macquarie County Council
- Feral animals control - can we get funding for control
- Assistance with cost of chemical for weed control
- New weeds in area as a result of dust storms
- Maintaining breeding stock through drought
- Businesses are also hurting and need assistance with putting off employees and businesses closing
- Upper Macquarie County Council is seeking funding from Governments for assistance with weed control

What Can Council do:

- Is there rate subsidies
- Water restrictions
- B-double exemptions for stock feed
- Help sourcing funding
- IPART review - rating proposal on improved value of land. Leads to reduced expenditure on maintaining farm
- More funding for weeds councils
- Taxing/fining farmers who don't look after weeds
- Awareness event on what is happening for the community generally
- Subdivision lot size - future planning - being able to sell off small lot to get through drought

3. Bathurst Seymour Centre 23.00016

Terisa Ashworth and Rachel Shepherd met with Council.

Provide services for older people, people with dementia etc

Three levels of service funded by Federal Government:

1. Entry level support at home ongoing or short term care
2. More complex support at home
3. Residential aged care

Discussion included:

- Seymour Centre focus on helping people stay healthy and at home
- Dementia is core business for services funded by Federal Government
- How they provide, social support, respite for carers, meals, transport to and from Centre plus outings and plans other services
- Advised steps in maintaining brain health
- Working on strategies to support people with dementia
- Have organised training courses for carers on Dementia Friendly Communities

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 25 SEPTEMBER 2019 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Councillors Bourke (Chair), Aubin, Christian, Fry, Hanger, Morse, North,

Apologies: Councillor Rudge

1. RYDA 28.00002

Graham Bright (Coordinator RYDA) & David Wrightson met with Council.

Discussion included:

- Thanked Council for past support
- Rotary youth Driver Awareness (RYDA), 5000 students in last few years from Bathurst area through program
- Have received award from Road Safety Education for program
- Program consists of six sessions during the day
- Program is regularly updated based on feedback from students.
- Charge students \$10 each
- 517 students this year undertook program
- Provided information of income and expenses for program
- Spoke to Council charges and Council donations to program in recent years
- Mentioned cost of 2018 program, considerably higher than previous years

Seeking:

- Support from Council with waiving costs for 2018 and reducing costs for future

2. Bathurst District Cricket Association 18.00104

Campbell Graham, Steven Cain and Brad Rose met with Council.

Discussion included:

- Cricket matches are dwindling in most areas
- Looked at increasing fees and clubs have now agreed

Seeking:

- Asking Council to waive fees in first year and increase by 25% over 4 years till paying full fees

3. Lifeline 11.00019

Alex Ferguson met with Council.

Discussion included:

World Suicide Prevention Day

- 10 cases this year in Bathurst
- Numbers in NSW have increased and further west worse it gets
- Spoke to issues related to money, telephones, personal circumstances that lead to suicide
- Need to have a community discussion
- Spoke to effects of a suicide on those around them
- Council should be part of creating a dialogue re: suicide prevention
- Lifeline is going to start a monthly walking program to assist/identify people who need help. Walk "n" Talk for Life

Seeking

- Requests Council to discuss this issue and take a positive lead on this issue . Discuss with other groups
- Would like Council to make a statement and create a working group of relevant parties to discuss ways of improving the community outlook
- Spoke to this years request for funds, nothing received

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.

4 MINUTES – BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE – 26 SEPTEMBER 2019 (07.00107)

Recommendation: That the information be noted.

Report: The Bathurst Regional Community Safety Committee considered the following item at their meeting held on 26 September 2019:

- Prioritised strategies under the Bathurst Community Safety Plan 2019 – 2023
- Launch of Red Bench project

A copy of the minutes from the meeting is provided at **attachment 1**.

Financial Implications: There are no financial implications resulting from this report.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.1
- Objective 5: Community health, safety and well being Strategy 5.1
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

- Inform To provide the public with balanced and objective information to help them understand the problem, alternatives opportunities and/or solutions.